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B I L L S,

PUBLIC:

SIX VOLUMES.

—(3.)—

COUNTY BOARDS (IRELAND

TO

EXCISE LICENSES (IRELAND).

Session

4 *February*——20 *August* 1836.

VOL. III.

1836.

BILLS:

1836.

SIX VOLUMES:—CONTENTS OF THE

THIRD VOLUME.

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A

B I L L

For the Administration of certain Civil Affairs of a Local Nature by County Boards in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

Preamble.

WHEREAS **the power** and duty of Taxation for local purposes of a public nature in Ireland would, if vested in well constituted local Bodies therein, tend greatly to its improvement and to the relief of the Grand Juries appointed for furtherance of its criminal Justice; **Be it therefore Enacted**, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT every Irish County shall have power at discretion to tax property therein for local public purposes; and the power and duty of Taxation for such purposes shall, without interfering with existing local Authorities for lighting, watching, cleansing or paving, or for widening streets or supplying water, be exclusively vested in a COUNTY BOARD, when constituted under this Act; To which end **BE it further Enacted** as follows:—

Counties empowered to act.

Certain existing authorities protected.

2.

Collectors of County Rates to prepare Lists of Rate payers.

Every Collector of County Rates shall, within the last *Seven* Days of the month of April in every year, prepare a List of the sums respectively charged on and paid by every Person, not less in total payment than *Two* Pounds each, for property within his collection, under presentments fiated at Assizes occurring within the *Fifteen* calendar Months before the date of such List, together with the name and residence of every such Person; and shall give priority to the names according

according to the greater total sums so paid; and in every case of equality of sums according to the alphabetical order of surnames; and within *Twenty-one* Days after the date of such List, shall cause a copy thereof to be inserted thrice in the county newspaper, (and if none, then in some newspaper usually circulated within the county), and transmit printed copies of such List to every Chief Constable of Police acting within his Collection, in order to be distributed among the Rate-payers, and posted as a notice therein.

3. Meeting of Rate-payers.

At Eleven o'clock in the forenoon of the last Monday in the Month of May in every Year, a Meeting shall be held within such Collection, at a place to be appointed by *Thirty* Days' previous notice from the High Sheriff, and in default thereof then by *Ten* Days' previous notice from the Lieutenant of the county; and shall consist of such of the following Persons as are chargeable with County Rates for property therein, (namely) every person who is one of the males, or (if there be more than *One* hundred), the first *One* hundred males named on such List and not under incapacity, or who is for the time qualified to vote at the Election of a Member of Parliament by the registry of property within the Collection, to the amount of at least *Twenty* Pounds yearly, or within the same and any adjoining Collection to the amount of at least *Thirty* Pounds yearly.

Their Qualifications.

4. Twelve Rate-payers may act. Chairman. Voting.

Twelve such Rate-payers shall suffice to constitute a Meeting; and one of them, chosen by and out of those present, shall be Chairman for the day; and every such Rate-payer present shall have one vote, and the Chairman shall have a casting vote besides; and all questions shall be decided by a majority of votes; but if *Twelve* such Rate-payers are not present before noon on the day appointed, the Meeting shall stand adjourned, once only, to the next day at *Eleven* o'clock in the forenoon; and the Collector of County Rates shall attend such Meeting; and he, or in his absence a Rate-payer present and appointed by the Chairman, shall act as Secretary of the Meeting; and no Person shall address the Meeting or delay the taking of the votes.

Adjournment.

Collector to be Secretary.

5. Duties of Chairman. Taking the votes.

The Chairman shall call, first, the names contained in the List, in the order in which they are set down therein, and then the names of the other Members of the Meeting present, and afterwards call twice, in like order, the names contained in such List of the Members who shall not have previously appeared; and every Member, on his name being called, may deliver to the Chairman a paper signed by himself, and containing the names of not more than *Ten* males to be Members of the County Board; and such names, as they are delivered, shall be read aloud by the Chairman, and entered by the Secretary in a book to be kept for the purpose; and at *Five* o'clock in the afternoon, or as much sooner as all such papers shall have been delivered, the Secretary shall

shall proceed to sum up the votes, and the Chairman, having examined the book, and so far as majority of votes can be made a guide being directed thereby, and otherwise by his discretion, shall declare the names of the Persons elected, not exceeding *Ten*; and shall, within *Two* Days after such Meeting, transmit Lists of such Persons, with the number of votes given for each, signed by himself and the Secretary, to the Treasurer and High Sheriff of the county respectively.

Lists of Persons elected.

6.

Sheriff to select the Members of the County Board.

The High Sheriff shall, within *Ten* Days after the time for the final receipt of all such Lists, select from every one of them containing not less than *Five* names one Person at least, and from the whole of such Lists not less than *Thirty* nor more than *Sixty* Persons, to constitute the County Board, among whom there shall not be any Person being in Holy Orders, or a Teacher or Preacher in a religious congregation, or entitled to remuneration under Schedule (B.), or an Engineer or Architect employed within the county by the County Board or Board of Public Works, or a Military Officer in active service, or an uncertificated Bankrupt, nor any Person unwilling to serve on the County Board, and being either exempt from serving on Juries, or having acted as a Member of the County Board at *Two* Meetings thereof within the *Three* preceding years; and the High Sheriff shall, within the same *Ten* Days, supply any deficiency in such *Thirty* Persons out of Persons liable and qualified to serve on the County Board; and shall, within *Twenty-one* Days after such selection, cause a List of the Persons selected to be published, thrice at least, in the county newspaper, (and if none, then in a newspaper usually circulated within the county) and to be posted as a notice in every district therein; and shall summon the Persons so selected to meet in the County Court House, where the then ensuing Assizes shall be held, on some day not less than *Two* nor more than *Six* Days before every Commission-day of Assizes for the county; and such Persons shall meet accordingly at *Ten* o'clock in the forenoon, at which time and place the High Sheriff shall be in attendance.

Disqualifications.

Exemptions

Sheriff to summon the County Board.

To meet before the Assizes.

7.

County Board.

Half the Number of Persons so selected shall, when assembled under this Act, suffice to constitute a County Board, of which the Lieutenant of the County shall also be a Member; and every Member thereof, before acting as such, shall at every such Meeting, and in open court, deliver a Certificate of his Qualification to the Clerk of the Peace or his deputy, who is hereby required to attend every such Meeting; and when a County Board shall have been constituted, a Person from time to time appointed for the purpose by His Majesty during pleasure, and in his absence the Lieutenant of the County, and in the absence of both a Member chosen by and out of the Members present, shall be the Chairman of the Meeting, who is hereby authorized to take the affidavits to be made before him under this Act;

Qualification.

Chairman.

Voting.

and every Member present shall have one vote, and the Chairman, if a Member, shall have a casting vote besides, and, if not, shall have a casting vote only; and all questions thereat shall be decided by a majority of Votes; and such Meeting when constituted shall, during

Adjournment.

its continuance, stand adjourned to the next day at *Ten* o'clock in the forenoon (Sunday excepted) whenever *Twelve* Members are not present after noon, or any business is left unfinished at *Five* o'clock in the afternoon, and shall terminate on the opening of the Commission of

Continuance.

Assize for the county; and the County Board shall continue in office until the ensuing County Board shall have been constituted.

8.

County Bank and Newspaper.

The County Board shall from time to time appoint, and at discretion change, the Bank and Newspaper, herein respectively called the County Bank and County Newspaper.

9.

County Officers appointed.

The County Board shall on every vacancy, or as much sooner as they shall deem proper, appoint the following Officers, (namely) a Secretary of the Board, the Treasurer of the County, a Collector for every District therein, the Court-house Keeper, the Interpreters, the local Inspector of the Prisons in the county, and the Chaplains, Medical Attendants and Matrons, with any number of female assistants for the same respectively; and shall examine and accept securities from every Treasurer and Collector so appointed for the due execution of his office; and every officer shall continue in office until superseded, and may proceed with any business left undone by his predecessor; but no Secretary of the County Board, or partner in business of such Secretary, shall be at the same time Treasurer of the County, or partner in business of such Treasurer.

10.

Committee.

The County Board shall appoint not less than *Nine*, nor more than *Fifteen*, of their Members to be a Committee until superseded, for supplying temporary vacancies in appointments under the power of the County Board, and for superintending all works and establishments within the county, for the execution or maintenance whereof presentments shall have been made; but need not, where such Committee exists at the time, alter the Members or number thereof, except so far as the County Board may think proper, and except that no Committee man shall continue in office longer than *Two* Years, since his last election, without being re-elected; and the County Board

Sub-Committees.

shall severally assign to *Three* Sub-committees, each consisting of *Three* or more Members of such Committee, the distinct superintendence of one of the subjects thereof, (namely) First, the maintenance and execution of public works; Secondly, the conducting of such establishments; Thirdly, the levying and application of all Money directed to be raised by such presentments, or produced by sales under this Act; and a person from time to time appointed for the purpose by His Majesty,

Majesty, during pleasure, shall be a Member of such Committee, and every Sub-committee thereof; and the County Board from time to time shall also divide the county into Districts, each consisting of, and being designated from any of the baronies or parishes therein; and may divide any barony containing more than *Fifty thousand* acres, or *Five thousand* Houses, into two distinct parts for the purposes of this Act; and may for the purpose of separate assessment subdivide any denomination of property for the time liable to be separately assessed; and shall fix the place in every such district, and also the times previously to the next Meeting of the County Board, for holding Special Sessions for such district, and shall also fix a place for posting notices therein, and within every parish therein, and the times and places for the Meeting of the Committee of Superintendence, and any of the Sub-committees thereof, and the extraordinary times (if any) during which the Treasurer of the county shall keep open an office for transacting business relative to his duties.

Division of County into Districts.

Special Sessions.

Notices.

Meetings of Committee and Sub-Committees.

Treasurer's Office.

11.

Any Property may be appropriated by will, or otherwise, for the benefit of any county in Ireland, according to the extent of the interest or dominion therein of the Party appropriating the same; and such Property, and all hereditaments and materials which may be taken, and all implements and other articles which may be purchased for the use of the county, shall vest in the Committee of Superintendence for the time being in a public capacity; and such Committee may compromise, prosecute, sue and be sued in the name of the Secretary of the County Board for the time being, without any prejudice to such compromise, prosecution, or suit from the mere act or default, or the state of the office of the Secretary of the County Board.

Property for the use of the County to vest in the Committee, which may sue, &c. in the name of the Secretary.

12.

The Board of Public Works in Ireland from time to time shall direct *Three* Engineers to meet in Dublin, and to examine every Person desirous of serving as a County Engineer or Assistant Engineer under this Act; and may appoint during pleasure any Person to be Engineer or Assistant Engineer for any County in Ireland, who, after examination by such *Three* Engineers, shall have obtained a certificate, signed by them, of being duly qualified for the situation; and every County Engineer so appointed shall, under the direction of the County Board, purchase and dispose of implements and other articles for the use of the county; and shall, in the execution of every work to be executed by him under this Act, have all the powers of a Contractor; and shall keep open an Office for transacting business relative to his duties in such place as the County Board may appoint; and shall employ a competent Person to be his Clerk, who shall regularly attend in such office, and for whom he shall be responsible; and shall, pursuant to every order for the purpose by such Board of Public Works, transmit thereto a Report of the state of Public Works in the county; and the Assistant Engineer shall, with the

Appointment of the County Engineer or Assistant Engineer;

His powers and duties.

Office.

Clerk.

Surveys.

consent of the Committee of Superintendence, discharge any of the duties of the County Engineer; and every Person authorized in writing by *Two* Members of the Committee of Superintendence, or Justices of the Peace for the county, may make Surveys therein for any of the purposes of this Act.

13. Applications for certain Presentments to be transmitted to the Board of Public Works.

Every Application to obtain a Presentment for executing any new public Work within the county, the estimate for which exceeds *Three hundred* Pounds, or for improving or repairing any public work therein, the estimate for which exceeds *Four hundred* Pounds, or for altering or annulling a former Presentment for the like purpose, shall, together with all documents requisite for giving full information relative to such application be, previously to the transmission thereof to the Secretary of the County Board, transmitted to the Board of Public Works in Ireland, which is hereby required at the expense of the same Board to decide on the total or partial allowance or disallowance thereof, and within *Two* calendar Months after receipt thereof, to cause such decision and the reasons for every disallowance (if any) to be notified to the County Engineer and to the Party making the application, and the same shall, in default of such notification, be deemed to have been allowed.

14. Applications for Presentments to be transmitted to the Secretary of County Board; and Duplicates lodged with the County Engineer.

Every Application to obtain a Presentment for a Lease of Tolls or Rates to be taken for the use of any public work vested in the Committee of Superintendence, or for Damages on account of malicious injury of property within the county, or for executing, improving or repairing any public work therein, or for altering or annulling a former Presentment for the like purpose, and having the allowance of the Board of Public Works where the same is required, or to contract (otherwise than by Tender) or account for the total or partial execution of such Presentment, or, where the amount of the contract shall exceed *Fifty* Pounds, to obtain an advance of money on account thereof, shall, together with all documents requisite for giving full information relative to such application, be subscribed by the party making the same, and be transmitted to the Secretary of the County Board *Thirty* Days at least before the day fixed for holding the first Special Sessions after a Meeting of the County Board, or (in case of such malicious injury) after *Thirty-five* Days from the occurrence thereof; and a Duplicate of every such Document relative to the execution, improvement or repair of a public work shall at the same time be lodged with the County Engineer; and notice of every such Application shall be posted on the Saturday next but one before the day so fixed.

Notices.

15. The Secretary of County Board to arrange applications and make Abstracts and Schedule thereof.

The Secretary of the County Board shall, on the last day for receiving such Applications, and during the *Ten* previous days, keep open an Office for the receipt thereof, and shall immediately after such last day arrange and number such Applications, according to the districts whereto, from site or otherwise, they shall specially relate, and the order wherein

wherein they shall have been received respectively; and make one Abstract of such Applications for Presentments, and another of such Applications for Contracts for executing works, and a distinct Schedule of such Applications to account or obtain an advance, with the number annexed to each, which is in the Book of Presentments affixed to the work to which the account or advance relates.

16. Special Sessions. **The Special Sessions** shall consist of the Committee of Superintendence and of Justices of the Peace, qualified to act as Members of the County Board, and having delivered to the Secretary thereof Certificates of Qualification; and shall meet at the times and places fixed by the County Board, and also at *Eleven* o'clock in the forenoon in the County Court House, whenever summoned by notice from *Five* Members of the Committee of Superintendence, specifying the objects of the Meeting, and published thrice in the county newspaper *Twenty* Days, at the latest, before the time of Meeting stated in such notice; and shall stand adjourned once only to the next day at *Eleven* o'clock in the forenoon (Sunday excepted), whenever a sufficient number thereof is not present after noon, or any business is left unfinished at *Six* o'clock of the same day. Meetings. Adjournments.

17. Quorum. **Three Members of** the Special Sessions shall suffice to constitute a Special Sessions; and a Member thereof chosen by and out of the Members present shall be Chairman for the day; and every Member present shall have *One* vote; and the Chairman shall have a casting vote besides; and all questions thereat shall be decided by a majority of votes; and the Secretary of the County Board shall be Secretary of the Special Sessions, and shall, together with the County Engineer, attend the same, and shall lay all Applications, which shall have been transmitted to him since the previous Meeting of the County Board, and the Abstracts and Schedule thereof respectively, before the Special Sessions for the Districts to which such Applications respectively relate; and the County Engineer shall thereat make a Report on every such Application. Chairman. Voting. Secretary. Applications laid before them.

18. Proceedings at the Special Sessions. **The Special Sessions** at their Meeting for the District to which any Applications relate, having ascertained that the Notices thereof have been duly posted, and having examined such Applications and the Accounts to which any of them relate, in the order wherein they are numbered by the Secretary of the County Board, shall report on the total or partial allowance or disallowance thereof, (applications to obtain advances excepted), and whether the expense of executing the work so allowed, for which special directions are not given by this Act, should be defrayed wholly or partly by the county at large, or specified districts or subdivisions thereof respectively, and cause the particulars of every such report, and the reasons for every disallowance (if any) to

be signed by the Chairman and another Member present, and entered on the Abstract or Schedule opposite to the Application to which the same respectively relates; and shall, in like order, examine and decide on contracts for executing presentments, and ascertain the sufficiency of, and accept the security for due performance of every such Contract; and shall report on the tolls or rates to be taken for the use of any public work, which may be either vested in the Committee of Superintendence or executed on behalf of the Contractor, and in consideration of such tolls or rates; and shall decide on the total or partial allowance or disallowance of every such Application to obtain an advance of money to a Contractor in manner hereinafter mentioned; and shall examine the County Engineer and such other Persons as the Special Sessions may think necessary, relative to any such Applications; and shall cause all the proceedings of the Special Sessions, and all documents relating to the same, to be signed by the Chairman and another Member thereof, and to be forwarded to the County Board by the Secretary thereof; and all the Proceedings of the Special Sessions shall be in open Court.

19. Proceedings to be printed and distributed.

Printed Copies of every such Abstract and Schedule, with the additions made thereto respectively by the Special Sessions, and with the names of the Members thereof present thereat respectively, and with a statement of the total respective sums proposed by the Special Sessions to be raised on the county, and exclusively on every part thereof shall, by the Secretary, *Ten* Days at least previously to the next Meeting of the County Board, be distributed among the Members and Persons qualified to be Members thereof, and of the Special Sessions respectively, and be deposited in the office of the County Engineer for public examination.

20. Meetings of the Committee and Sub-Committees.

The Committee of Superintendence, and every Sub-Committee thereof, shall meet at the times and places respectively fixed for the purpose by the County Board, and also at *Eleven* o'clock in the forenoon at any of such places or of the places appointed for holding Special Sessions, whenever summoned respectively by notice from *Five* Members of the Committee and *Three* Members of the Sub-Committee respectively, delivered to every other Member thereof respectively, and inserted in the county newspaper *Seven* Days at least before the time of meeting stated in such notice, which must also state the place and object of meeting.

21. Quorum.

Three Members of the Committee of Superintendence and of every Sub-Committee thereof, or, in case of a Sub-Committee, if there be not more than *Three* Members thereof, and only *Two* of them attend, then those *Two* and any other member of the Committee of Superintendence, shall suffice to constitute such Committee and Sub-Committee respectively; and at every Meeting thereof respectively the Member

Member appointed by His Majesty, or in his absence a Member chosen by and out of the Members present, shall be Chairman; and every Member thereof respectively present shall have one vote; and all questions therein respectively shall be decided by a majority of votes. Chairman. Voting.

22. Immediate Repairs.

Whenever the County Engineer, upon his inspecting any of the Public Works, which are maintained by presentment, certifies in writing that the Repair thereof cannot, without prejudice to the county be delayed until the then next Meeting of the County Board, the Sub-Committee for superintending the execution of Public Works may order such repair to be immediately executed under his direction; but the total sum so expended on all such repairs between two meetings of the County Board shall not exceed *Three hundred* Pounds.

23. Reports of Committee and Sub-Committees.

The Committee of Superintendence and every Sub-Committee thereof, shall transmit to every half-yearly meeting of the County Board, through the Secretary thereof, a full Report, signed by at least *Two* Members of such Committee and Sub-Committee respectively, of all matters connected with the subject of their superintendence since the previous half-yearly Meeting of the County Board; and such Committee shall, at least once in every year, transmit in like manner to the County Board a full and particular account, so signed, of all property vested in such Committee, and of the value thereof respectively.

24. Proceedings of the County Board.

The County Board shall, at every Meeting thereof, examine the Reports transmitted thereto by the Committee and Sub-Committees of Superintendence, and the proceedings and documents forwarded thereto by the Special Sessions, and shall examine the County Engineer, and such other Persons as the County Board may think necessary, relative to such reports, proceedings and documents; and afterwards shall decide on the total or partial allowance or disallowance of all accounts and applications for presentments so forwarded, and also of the several accounts of the Treasurer of the county and all the Collectors of County Rates therein; and whether the expenses of satisfying damages, or executing works so allowed, for which special directions are not given by this Act, shall be defrayed wholly or partly by the county at large, or the specified districts or sub-divisions thereof respectively; and whether the money to be raised under any presentment for executing a public work shall be levied at once or by half-yearly instalments which, without the allowance of the Board of Public Works in Ireland, must not exceed *Six*; and shall decide on the shares (if any) which may be created, and the tolls or rates which may be taken for the use of every public work, either vested in the Committee of Superintendence or to be executed on behalf of the Contractor, and in consideration of such tolls or rates; but shall not allow any such last-mentioned work without being satisfied that the expense of executing the same will exceed the sum of *Three hundred* Pounds,

nor allow more than half the sum required for making, repairing or improving a bridge partly in, or a road bounding, the county and an adjoining county; and shall decide on the propriety and mode of selling any hereditaments vested in the Committee of Superintendence, and not required for the purposes of this Act; and may allow money for reimbursing the reasonable expenses of the Members of the Committee of Superintendence in the execution of their respective duties, and also for making compensation for loss or diminution in the value of every ferry occasioned by erecting within the limits thereof any bridge under this Act; and shall cause the money allowed for such compensation to be paid, or secured to the satisfaction of the party entitled thereto, and (if necessary) on the tolls (if any) to be taken for the use of such bridge; and shall, from time to time, with the approval of the Board of Public Works in Ireland, appoint and change Commissioners for effecting any work executed under this Act, for the completion whereof such appointment may be necessary, and fix the remuneration of such Commissioners, which shall be paid as part of the expenses of their commission; and empower such Commissioners to impose and to determine the mode of levying rates for defraying the expenses of executing and maintaining such work; and shall also give directions for duly applying any fund, created under this Act, for Emigration, and as to the numbers, distribution and prices when sold, of the copies ordered under this Act to be printed.

25
Mode of proceeding.

The County Board for all such purposes shall take the districts successively by lot, and the applications in each district successively in the order wherein they are numbered on the Abstract and Schedule thereof respectively, and thus dispose of all Applications for presentments before any Account is considered; and shall have the question for decision formally put on each application and account by the Chairman; and shall have all the business to be transacted at every meeting completed before the opening of the Commission for the ensuing assizes.

26.
Presentments.

The County Board shall make Presentments in accordance with the business so completed, and also Presentments for the following levies, (namely) of all money which shall not have been levied or applied according to Presentments then in force, or shall be required to make compensation, ascertained as hereinafter is mentioned, for hereditaments taken under such Presentments, or to satisfy the damages recovered against the Committee of Superintendence, or the share of damages apportioned to be levied on the county, or a district thereof, by a Judge of Assize, or to pay the costs of prosecution or suit to which the Secretary of the County Board, on behalf of such Committee, shall be liable, or to pay the money duly expended upon immediate repairs under the direction of the County Engineer, or the money for the time payable to the

the Board of Public Works, or towards discharge of every loan sanctioned thereby, or to defray the reasonable expenses of the Committee of Superintendence, the expenses of stationery, of procuring copies of the Statutes, and of printing and advertisement in relation either to the County Board or Grand Jury, or to the qualification of Persons entitled to vote at the election of Members of Parliament, and the expenses of prisons, court-houses, justice-rooms, places of public instruction, county infirmaries, hospitals, dispensaries, boards and officers of health, asylums, houses of industry, workhouses, market-houses and places, prosecutors, witnesses, the removal of prisoners, disbursements under any Statute, and the remuneration of public officers (except so far as the same shall, with the sanction of a Judge of Assize, be diminished or refused by the County Board for insufficient discharge of duty) and the share of the expenses of Police, Militia and national valuation which may fall on the county, or any district or subdivision therein; such expenses, subject to the respective limitations thereof in Schedule (B.) being ascertained as follows, (namely) of prisons, court-houses, justice rooms, places of public instruction, county infirmaries, hospitals, dispensaries, boards and officers of health, asylums, houses of industry, workhouses and market-houses and places, by the Reports of the Sub-Committees of Superintendence; of rewards, prosecutors and witnesses, by the order of the Judge of Assize and Chairman of the Quarter Sessions respectively; of the removal of prisoners by the Certificate of the High Sheriff; and the share of expenses of Police, Militia and national valuation by the Certificate of the Chief Secretary of the Chief Governor of Ireland; and such share of damages being ascertained by the Certificate of the Judge of Assize making the apportionment; but all money which shall not have been levied or applied according to Presentments then in force, shall be levied where the same ought under the original Presentments respectively to have been levied; and all money to be raised towards defraying the expenses of Police, Militia and national valuation, shall be levied locally according to the Certificate of such Chief Secretary; and all money to be levied for defraying the reasonable expenses of the Members of the Committee of Superintendence, and the expenses of stationery, the Statutes, printing, advertisement, prisons, court-houses, Justice-rooms, county infirmaries, hospitals, dispensaries, boards of health, asylums, houses of industry, work-houses, bridges the estimate for which, approved of by the County Engineer, shall exceed *Fifty* Pounds, roads whereon the Mail is conveyed in carriages, rewards, prosecutors, witnesses removal of prisoners and remuneration of public officers, except Collectors, shall be levied on the County.

Charges ascertained.

Presentments on the County at large.

27.

The County Board shall cause the surplus of money raised under any Presentment, which shall not have been required for the purposes thereof, to be carried by the County Treasurer to the credit of the county,

Surplus of money to be credited to the county or district charged.

county, district or subdivision whereon the same shall have been raised; and may borrow from or with the sanction of the Board of Public Works in Ireland money for the execution of any public work for which a Presentment shall have been fiated; and shall cause the money so borrowed to be repaid by such instalments, and at such rate of lawful interest, and on every private loan within *Six* Years after the same, as shall be agreed on with such Board, and be specified in such Presentment accordingly; and shall transmit to such Board a copy, certified by the Clerk of the Crown, of such Presentment, when fiated.

Loans from the Board of Public Works.

28. Strangers admitted by Tickets.

The County Board may at discretion admit strangers to be present at the proceedings thereof by Tickets, to be obtained from the Chairman thereof or the High Sheriff, and shall, on the motion of any *Two* Members thereof, exclude such strangers; and may, when not restricted by any Statute for the time being in force, make, alter or rescind Rules for conducting business as follows, (namely) that of the Special Sessions and County Board, with the allowance of the Court of Exchequer in Ireland, and that of Establishments superintended by the Committee of Superintendence with the allowance of the Court of King's Bench in Ireland.

Rules to be made.

29. Penalty inflicted by the County Board and Special Sessions.

The County Board and Special Sessions may severally punish, by fine or imprisonment, specified by warrant under the hand and seal of the Chairman thereof, every person obstructing the proceedings of the same respectively when assembled; but such fine shall not exceed the sum of *Five* Pounds, nor the term of such imprisonment *Ten* Days for any one offence.

30. Presentments and Accounts to be fiated.

Every Presentment and Account, together with all Reports, Proceedings and Documents relative thereto, shall be laid before a Judge of Assize at the Assizes ensuing the meeting of the County Board at which such Presentment or Account shall have been allowed, and after examination by such Judge may be fiated by him; and every Judge of Assize shall, by his order, which shall be deemed a fiated Presentment, determine every amount for which a Presentment is by law directed to be, and has not been made by the County Board, and the district (if any) whereon the same is to be levied; and may empower the County Board, on sufficient cause shown thereby, to transact any business thereof during the current Assizes; and may apportion any share, not exceeding *One-half*, of the damages on account of malicious injury, for which a Presentment shall have been so fiated, to be levied on any of the adjoining counties or districts, within two miles whereof the cause of such damages shall have arisen; and a Certificate, signed by such Judge and containing the particulars of such apportionment, shall be thereupon transmitted by the Clerk of the Crown for such Assize to the Secretary of the County Board, acting in every such adjoining county or district; and

Judge may order unpresented sums to be raised, and may apportion the shares of damages.

Proceedings before a Judge to be in open Court.

and all proceedings under this Act by or before a Judge of Assize shall be in open Court.

31. Clerk of the Crown to enter Presentments and Accounts.

Every Presentment and Account, fiated or traversed, shall be delivered to the Clerk of the Crown, and be entered by him in a book to be kept by him for that purpose, with the same number annexed as is affixed to the application for the same in the Abstract or Schedule thereof; and a copy, certified by him of such Presentment, shall be Evidence thereof; and the Clerk of the Crown shall transmit a copy of every such entry of an Account, together with a written summary of the then state of such Account, to the Treasurer of the county within *Six* Days after every Assizes; and copies of every such entry of a Presentment, together with a written summary of the then state of the proceedings under every such Presentment then in force, and for the execution whereof a final Account has not been fiated, to the Treasurer of the county and Secretary of the County Board respectively within *Ten* Days after every Assizes; and such Secretary shall, within *Fourteen* Days after receipt thereof, cause printed copies of the matters so transmitted to him, together with a statement of the total respective sums to be raised on the County, and exclusively on every part thereof, to be transmitted to the Board of Public Works in Ireland, and to the Chief Secretary of the Chief Governor of Ireland for the purpose of being laid before Parliament, and to be distributed among the Members and Persons qualified to be Members of the Special Sessions and County Board respectively, and to be deposited in the office of the County Engineer for public examination.

Evidence of Presentments.

Copies sent by him to the County Treasurer and Secretary of the County Board.

Secretary to distribute printedCopies.

32. Presentment not acted on for Two Years to be void.

Every Presentment for the execution of a work wherein (if incomplete) progress shall not have been duly made for *Two* successive years shall, when not suspended according to law, be thenceforth void.

33. Security by the County Treasurer, by Collectors and Contractors.

The Security to be taken from every Treasurer of the County appointed after the *passing of this Act*, and from every Collector of County Rates therein, and from every Contractor for the execution of a Presentment therein, shall be a Recognizance to be given to His Majesty and His successors by such Treasurer, Collector and Contractor, and *Two* sufficient Sureties approved by the County Board or Special Sessions, as the case may require, in an amount approved in like manner, and not less in case of Treasurer than the amount specified in Schedule (B.) to this Act, nor in case of Contractor than *One-third* of the amount specified in the contract, before any *Two* Justices of the Peace for the County, who are hereby empowered to take the same at any Meeting of the County Board, or, in case of Collector or Contractor, at the Special Sessions for the District wherein he may act; and such recognizance from every Treasurer and his Sureties shall be recorded in the Court of Exchequer in Ireland, and from every Collector or Contractor

Contractor, and his Sureties shall be deposited with, and kept by, the Secretary of the County Board; and no Treasurer appointed after the *passing of this Act*, nor any Collector or Contractor shall act as such until a certificate of the recognizance to be given by him and his sureties, having been so recorded or deposited shall have been obtained by him from the officer recording or keeping the same; and every such recognizance shall, for every default, be enforced by the Committee of Superintendence, unless otherwise directed by a Judge of Assize, and shall be cancelled and delivered to any of the parties bound thereby, when the condition thereof shall have been fulfilled; and a certificate of such fulfilment from a Judge of Assize for the county, in case such recognizance has been given by the Treasurer thereof, and from the Committee of Superintendence in every other case, shall have been delivered to the proper officer of such Court of Exchequer, or Secretary of the County Board, as the case may require; but Bank of England or Ireland Stock, or Government Securities, at the time equal in value to the required amount, and transferred or delivered to the Accountant General of the Court of Exchequer in Ireland, ex-parte the Committee of Superintendence of the County, may at the discretion of the County Board or Special Sessions, as the case may require, be accepted in lieu of the concurrence of sureties in such recognizance, and shall be re-transferred or re-delivered on the cancelling of such recognizance, and until such cancelling the whole or any part of such stock or securities, and of the annual produce thereof, may by order of such Court made in a summary way, on motion, be from time to time disposed of for making good any breach in the condition of such recognizance; and subject to such disposal, such annual produce shall be applied as if such stock or securities had not been so transferred or delivered.

34. County Treasurer to apportion the sums presented, and issue Warrants to Collectors, stating the Poundage.

The Treasurer of the County shall, without delay, from the copies and statements transmitted to the Treasurer of the county for the time being since the preceding Assizes by the Clerk of the Crown, ascertain the sum to be raised on every district and subdivision of the county exclusively, and also the sum to be raised thereon as its proportion of the sum to be raised on the county; and shall certify every such sum by a Warrant issued to every Collector of County Rates by whom the same is to be levied; and whenever the case will admit, shall state in such certificate the distinct Poundage, not containing any fraction of One Penny, according to which every such sum is to be levied.

35. Collector shall give notice of sums to be collected, and receive the same, and recover arrears by action or distress; may

Every Collector of County Rates shall, without delay, after receipt of every such Warrant, specify the sum, thereby certified to be charged on every denomination within his collection, in a notice which shall be served on some occupiers within such denomination, and also duly posted; and shall by such notice appoint the times, not less than

One

One calendar Month from such posting, and also the places within his collection, for receiving the sums so charged; and he shall accordingly receive the same, or so much thereof respectively as shall be paid pursuant to individual assessments for the time in force under this Act; and may recover the whole sum which after the last of such times shall not have been so received out of such denomination, together with *One* Shilling for every Pound thereof, either in an action against any of the Parties who shall not have duly paid their rates in respect of tenements within the same denomination, or by distress and sale of the goods of any of the Parties for the time occupying such tenements, and in case of no such sufficient distress, then like a forfeiture under this Act left unpaid for *Seven* Days; and may from time to time, by writing under his hand and seal, appoint and change Deputies for whom he shall be responsible for better executing his duties; and such Collector shall remit to the County Bank, and if none, then to the Treasurer of the county, *Two* Days at least previously to the next meeting of the County Board, the several sums so charged and collected, (such poundage of *One* Shilling excepted) to be placed to the credit of the county; and such Collector shall, on the first day of every half yearly meeting of the County Board, produce a full account, signed by himself, of all his receipts and payments as such Collector since his entrance on office, or the previous account produced by him, as the case may be, together (as far as can be ascertained) with the name of and sum left unpaid by every Rate-payer who shall be in arrear, and the causes of such arrears respectively; and shall verify the same by affidavit before the Chairman of the County Board.

appoint Deputies, and shall remit the sums collected to the County Bank, and produce to the County Board account of receipts and payments, and a List of Defaulters.

36. Duties of the County Treasurer.

The Treasurer of the County shall, within *Six* calendar Months after the appointment of the County Bank, pay into the same, to the credit of the county, all money belonging thereto then in his hands, and shall, during every meeting of the County Board and every Assizes for the county, and *Six* Days at least after the last day thereof, and also during *Three* successive Days to be appointed by the County Board, keep in the town where such meeting shall be held an Office, open from *Ten* o'clock in the morning till *Three* o'clock in the afternoon, for transacting business relative to his duties; and while such office is open shall, upon demand, pay in full, out of the money in his hands until the end of such *Six* calendar Months, and afterwards by his checks upon the County Bank, every sum payable on behalf of the county, or any part thereof, under any Statute, and to the discharge whereof any money in such Bank or in his hands shall be applicable; and for such sum shall take a receipt, specifying the Scheduled number (if any) and Assize date of the Presentment under which the same shall be paid; and shall also remit to the Bank of Ireland, to the credit of the Board of Public Works, the sums levied for or towards repayment of loans from or money expended by such Board, and make every such remittance through the County

Bank (if any); and shall, on the first day of every half-yearly meeting of the County Board, produce a full account, signed by himself, of all receipts and payments on behalf of the county or any part thereof, and the balance of the same, which are not contained in a previous account produced by the County Treasurer, and a certificate from the County Bank (if any) of the several balances therein to the credit of the county at the commencement and conclusion respectively of such Account, together with proper vouchers for the particulars thereof; and shall in such Account show, under distinct heads, the receipts and payments on behalf of the county and the several districts and subdivisions thereof respectively; and shall verify such Account by affidavit before the Chairman of the County Board; and a printed copy thereof, so far as the same shall have been fiated by a Judge of Assize, shall be prefixed to and distributed with the Schedules of Presentments by the Secretary of the County Board.

37. Accounting for existing Contracts.

Every Contract which, previously to the first meeting of the County Board, shall have been entered into under a Presentment, may be accounted for under either this Act or the Acts in force when such Presentment was fiated; and nothing in this Act contained shall further alter any powers, duties or liabilities in respect of the completion of and accounting for such contract.

38. All works to be executed by Contract.

Every Work for which a Presentment shall have been fiated under this Act shall be executed by Contract under the direction of the County Engineer; or if the Special Sessions for the district to which such Presentment relates shall not approve of any contract for executing such work and of the security offered by the Contractor, or if such work is to be effected by Commissioners appointed by the County Board, then either under the direction of the Board of Public Works in Ireland or by the County Engineer, as shall be determined by the County Board; but no part of the making, repair or improvement of a bridge partly in or road bounding the county and an adjoining county, shall be done until after the depositing with the Secretary of the County Board of a certificate from the Clerk of the Crown for such adjoining county, that a Presentment therein for half the sum required for such bridge or road has been fiated for the same purpose; and the County Engineer shall, without delay, after the presentment for any work within the county shall have been fiated, make the duplicate lodged with him of every plan, map, specification and estimate relating to such Presentment conformable thereto, and whenever the case may require it, prepare a Form of Tender for executing such work, expressing the nature and extent thereof, the materials to be used therein, and the term within which the same shall be completed, and such other particulars as the County Board may have directed; and shall leave every such Duplicate and Form in his office open for public examination; and every Tender for the

The County Engineer to correct Duplicates and prepare Forms of Tender.

Tender.

the execution of such work shall be made in such form and be subscribed with the name, description and residence of the Party making the Tender, in his own hand-writing, and be transmitted under a sealed cover, indorsed with the name of such work, and the number affixed thereto in the printed abstract of Presentments to the Secretary of the County Board, within *Six* Days before the first meeting of the Special Sessions after the Assizes at which such Presentment shall have been fiated, and shall be numbered by such Secretary in the order wherein they shall have been received by him in relation to the same work; and every such Contract shall contain a provision for settling disputes between the contracting Parties by the Award of the majority of *Three* uninterested referees, made within *Two* calendar Months after the reference to them, one chosen by each Party, and the third by the two first chosen; and the referee omitted to be chosen by either party within *Six* Days after the choice by the other party shall have been notified to the omitting party, shall be chosen by two Justices of the Peace for the county. Contract.

39. Advances of money on the Certificate of the County Engineer.

The Money by this Act authorized to be advanced on account of any such work during the execution thereof, may be paid upon the order of the Special Sessions allowing the same, after production thereat of a Certificate from the County Engineer that a sum exceeding the amount to be advanced by at least *One-tenth* thereof, or the sum of *Five hundred* Pounds, has been fully and fairly expended on the execution of such work since the commencement thereof, or the last advance on account thereof, as the case may be; and when a Certificate has at the County Board been produced from the County Engineer that the whole of such work has been completed, and the account of the completion thereof has been presented and fiated, the whole of the money remaining due on such Contract shall be paid; and the money by this Act authorized to be expended on the immediate execution of repairs, shall be paid upon the order of the Sub-Committee for superintending the execution of Public Works.

40. Cuts to be fenced and passages secured.

Every Cut made in the execution of any work under this Act for *Three* Feet at least below the surface shall, by the Party executing such work, be kept fenced sufficiently for preventing any damage in consequence thereof until the same be filled up or otherwise rendered safe; and shall, wherever covered with water intersecting hereditaments occupied by the same party under the same title, be crossed by a bridge, to be made and kept in repair by the party executing such work, and for securing a free passage for carriages between the hereditaments so intersected except where there may be other convenient means of passage between the same; and no way, drain or watercourse shall be stopped or diverted in the execution of any work under this Act, until another equally serviceable has been substituted, except the way, drain or

watercourse so stopped or diverted shall have been purchased under the provisions of this Act.

41. Materials may be taken and Drains made.

All Materials required for the execution or maintenance of every such work may, for every such purpose, be taken from any land within the county, or any of the counties adjoining thereto, but not so as to injure any building, road, bridge, embankment, canal or watercourse, or any yard or garden surrounded by a wall; and all Drains required for the like purpose may be made through any land which has not any building thereon, and is not a yard or garden surrounded by a wall, nor a bleaching-green, nor an avenue to a mansion-house, so that written notice of every such taking or making be *Six* Days previously thereto given to every occupier affected thereby; and satisfaction to such occupier for the damage done in taking and carrying away such materials, or in making such drains, shall by the party under whose direction such damage shall have been done, be made of such amount as shall be awarded by the majority of *Three* uninterested householders resident in the county where the materials are taken, or the drains are made, and having viewed the place damaged; one to be named by such occupier, another by the Party under whose direction such damage shall have been done, at the time of giving such previous notice, and in default thereof by any Justice of the Peace of the same county, and the third by the two first named, and in default thereof for *Five* Days by any such Justice; and all three shall be sworn before any such Justice to estimate such damages truly to the best of their judgment, but shall not include therein the value of materials taken, except when taken from a quarry or gravel pit demised by lease authorizing the disposal of such materials; and such satisfaction may be recovered from such party, either in an action, or like a forfeiture under this Act left unpaid for *Seven* Days.

Satisfaction for the damage thereby.

42. Hereditaments may be taken by the County Board.

Hereditaments required for the execution of every such work may for such purpose be taken on behalf of the County Board after *Thirty* Days previous notice, signed by the Secretary of the County Board, shall have been given to every occupier thereof, or in case of vacant possession fixed on some conspicuous part thereof, and after the compensation for the same shall have been ascertained by contract or verdict, and where the case admits, have been either paid according to the directions of this Act, or paid or tendered to the Party entitled thereto; but no building nor yard or garden surrounded by a wall, nor any part thereof respectively, shall without the previous written consent of every occupier and party in receipt of the rents thereof be taken or injured for a road, canal or watercourse; and Compensation for such hereditaments shall be made as follows: namely, The Committee of Superintendence may contract with any Party in the occupation or receipt of the rents of the whole or any undivided part of such hereditaments for the purchase or renting thereof; and every such contract

Compensation to be given.

Incapacities removed.

in

in writing, and also every indented deed executed by such Party and enrolled in the Court of Exchequer in Ireland shall have the same effect as if such Party were solely and legally seised in fee in possession, and had made an effectual agreement or assurance according to the tenor of such contract or deed, although such Party may have only a partial estate in such hereditaments or some undivided part thereof, or may be a corporation, married woman, guardian, committee, trustee or mortgagee, and such Party is hereby indemnified from the consequences of every such contract or deed; and every such deed executed by the Committee of Superintendence, shall operate as a covenant on the part of such Committee, in a public capacity, that the party thereby for the time being entitled to the hereditaments comprized therein will duly satisfy every reservation (if any) thereby made.

43. Small portions of land separated from other hereditaments shall be purchased.

Every piece of land contiguous to any work proposed to be executed under this Act, shall, on written notice for the purpose from any Party in the occupation or receipt of the rents of the whole or any undivided part thereof to the Secretary of the County Board within *One* calendar Month after the laying out of such work, be taken as if the same were hereditaments required for executing such work wherever such land is, if any part thereof be within *Three hundred* Yards of a public market place, less than *Five hundred* square Feet in quantity, and if not within such *Three hundred* yards, less than either *One* Acre in quantity or *Twenty* Yards in average breadth throughout the whole length thereof so contiguous to such work, provided other hereditaments occupied by the same party under the same title are by the execution of such work to be taken or separated therefrom, and no other hereditaments so occupied adjoin thereto.

44. Compensation for the hereditaments taken may be fixed and apportioned by the verdict of a Jury.

Application of Compensation money exceeding 50*l*.

The compensation for hereditaments taken or injured under this Act, if not ascertained by contract, or if the title of the Party contracting for the sale or letting thereof prove defective, shall be fixed, and, whenever the case shall so require, be apportioned among the Parties interested in such hereditaments, by the verdict of a jury; and so far as the same shall not belong absolutely to any Party having a clear title to such hereditaments shall, if the same exceed the sum of *Fifty* Pounds, be paid without delay into the Bank of Ireland, in the name and with the privity of the Accountant-General of the Court of Exchequer in Ireland, to be placed to his account there, ex-parte such Committee of Superintendence; and shall, under the order of the same Court made in a summary way, on motion of any Party clearly entitled to the receipt of the rents of such hereditaments, be applied in or towards discharge of any incumbrance upon such hereditaments or upon other hereditaments subject at the time of such payment to the same limitations or trusts as such hereditaments were then liable to; and, so far as the same shall not be so applied, shall, under the order

of the same Court, made in a summary way, on motion of any Party in the actual receipt of the rents of such hereditaments, be invested in purchasing other hereditaments which shall be settled in the same manner as such hereditaments would have stood settled in case the same had not been taken on behalf of the County Board; and in the meantime be invested in the name of such Accountant-General in any stock transferable at the Bank of Ireland, in order that the dividends thereof be applied in the same way as the yearly rents of the hereditaments to be purchased therewith would have been applicable if such purchase had been made; Or shall, if such compensation do not exceed the sum of *Two hundred* Pounds, be paid at the option of the Party clearly entitled to the receipt of the rents of such hereditaments, to two Trustees to be nominated by such party and approved by such Committee of Superintendence, and be applied and invested in manner hereinbefore directed, without any order of the Court of Exchequer or intervention of such Accountant-General; and shall, if such compensation do not exceed the sum of *Fifty* Pounds, be applied as such Committee of Superintendence shall think fit, for the benefit of every Party actually, at the time when such hereditaments shall have been so taken, in receipt of the rents thereof.

Not exceeding 200*l.*

Not exceeding 50*l.*

45. Hereditaments vested in the Committee of Superintendence to be sold.

And Hereditaments vested in the Committee of Superintendence by virtue of this Act, and not required for the purposes thereof, may, and if purchased under this Act and for *Five* successive years not used for the purposes thereof, shall be sold by such Committee in manner directed by the County Board after an offer to sell the same shall have been previously made by such Committee, First, to every Party, if any, in receipt, or who, in case the same shall have been taken by such Committee within the *Ten* previous years, would have been in receipt of the rents thereof, if the same had not been taken by such Committee; and, Secondly, to every party in receipt of the rents of the adjoining hereditaments, and after non-acceptance of such offer within *Thirty* Days after the same shall have been made; of which non-acceptance an affidavit made by the Secretary or a member of the County Board not interested in the premises, and sworn at any Petty Sessions within the county where the hereditaments so offered are situate, shall be evidence; and the purchase-money for the hereditaments comprised in every offer so accepted by any such Party shall, on a difference of opinion about the amount thereof between such Party and Committee, be fixed by the verdict of a jury; and shall, in case of the offer directed to be made first, not exceed the whole or proportion, as the case may require, of the compensation originally given by the County Board for the same; and the purchase-money produced by every sale of hereditaments under this Act shall by the Party paying the same be remitted to the County Bank to be there placed to the credit of the county, and shall be carried by the Treasurer of the county to the credit of the district

trict or subdivision whereon the money paid for the original purchase of the same hereditaments shall have been raised, or, in default of proof to the satisfaction of the County Board of there being any such district or subdivision, then to the credit of the county; and the receipt in writing of any *Three* members of such Committee shall be a complete discharge for the money so paid, and from the necessity of ascertaining that the requisitions of this Act have been complied with, and be an effectual conveyance to the purchaser of the estate of such Committee in the hereditaments so sold; and in case the purchase-money for any hereditaments sold under this Act shall not be paid conformably thereto, within *One* calendar Month after the same shall have been ascertained by contract or verdict, of which non-payment the certificate of the Treasurer of the county shall be evidence, the hereditaments comprised in such contract or verdict shall be sold as if the offer to sell the same had not been accepted and no contract had been made for sale thereof.

46. Jury to be summoned by the Sheriff, or Coroner.

The Jury for fixing the amount of such compensation or purchase money shall consist of *Twelve* Men drawn by ballot by the Secretary of the County Board, out of not less than *Forty-eight*, nor more than *Sixty* substantial Persons qualified to serve on juries in the county where the hereditaments so to be taken or sold are situate, and to be impannelled, summoned and returned by the Sheriff, or if he be interested in the matter in question, then by any Coroner of such county not so interested, upon a Warrant to be advertised in the county newspaper and to be issued to him for that purpose by the Sub-Committee for superintending the execution of Public Works therein, and at the place and time mentioned in such Warrant; and such place and time shall be mentioned also in a notice, to be signed by the Secretary of the County Board, and given to every occupier of the hereditaments in question, or, in case of vacant possession, fixed on some conspicuous part thereof, *Ten* Days at least previously to such time, which shall not be less than *Twenty-one* nor more than *Twenty-eight* Days after the serving of the Warrant; and such drawing shall be subject to lawful challenges to the poll alone by the Secretary of the County Board, and by every party entitled to assure or purchase such hereditaments; and so far as there shall be any default of such *Twelve* Men, such jury shall, subject to like challenges, be made up of other substantial and uninterested men of the by-standers, or who, being qualified to serve on a jury for the county, can speedily be procured for such service; and such jury shall be severally sworn by the officer to whom such Warrant shall be issued, or by his official deputy (if any), before any matter besides the formation of the jury shall be entered on; and such jury shall add to the compensation to be allowed to any party concerned, such sum as they may think fit for defraying all expenses to be thereafter necessarily occasioned in consequence of payment of such

Challenge.

compensation under this Act; and all such expenses shall be paid accordingly out of the aggregate amount so to be paid; and the verdict of such jury shall be in writing, and state the hereditaments affected, and the compensation or purchase money fixed thereby; and shall, before the dismissal of the jury, be signed by the officer to whom such Warrant shall be issued, or by his official deputy (if any), and shall be final, and render it unnecessary for any party to prove or, except the Person signing the same, to ascertain that the requisitions of this Act have been complied with, and shall be delivered to the Secretary of the County Board, and be entered by him in a book, to be kept by him for that purpose, with the same number annexed as is affixed to the application for the presentment to which the same relates; and the same, or a copy thereof certified by him, shall be evidence thereof.

Verdict of the Jury signed by the Officer shall be final.

47. Witnesses may be summoned and examined on oath.

Every Person whose testimony may be thought necessary by such Sub-Committee of Superintendence, or by any Party entitled to assure or purchase the hereditaments in question, shall by notice, signed by such Officer or his official Deputy, be summoned to attend at the place and time fixed in the Warrant of such Sub-Committee, and shall accordingly attend and give evidence on oath to be administered by such Officer or Deputy.

48. Expenses of the Verdict ascertained.

All expenses occasioned by submitting the question of compensation or purchase money to a jury, shall be ascertained, and if necessary be apportioned by the Person signing the verdict thereof, and be certified by his indorsement on the same previously to such signature; and shall be defrayed by the County Board whenever the verdict of such jury shall award a greater sum than shall have been proposed by the Sub-Committee for superintending the execution of Public Works to the party competent to contract therewith, or shall be rendered necessary through want of such competent party; and in all other cases shall be deducted out of any compensation awarded by such verdict, or in default thereof be paid by the party who shall have rendered such verdict necessary; and may be recovered as if such verdict were a judgment of the Court of Exchequer in Ireland, for the amount of such expenses.

49. Qualifications and Award of Commissioners.

Every Commissioner appointed by the County Board for effecting any Public Work, before acting as such, shall, in open Court at any Assizes or Quarter Sessions for the county, deliver to the Clerk of the Peace or his Deputy, a certificate of his qualification; and the Award executed by the majority of the Commissioners so appointed shall be enrolled with the Clerk of the Peace for the county, and be thenceforth binding on all parties concerned, and evidence of all matters required or authorized to be theretofore done by, or with the consent of such Commissioners; and shall be a complete title to the fee in possession

sion of such hereditaments comprized therein, as shall have been sold by auction by such Commissioners for defraying the expenses of their commission and award; and shall also have the effect, where necessary, of interchanging and partitioning hereditaments comprized therein, and of ascertaining the fences for, and liabilities in respect of the same, without further affecting titles or tenures, or disturbing possession; and of setting out, turning and stopping, at the discretion of the majority of such Commissioners, such roads within the limits thereof, or necessary for the enjoyment of hereditaments comprized therein as are not under the care of the Committee of Superintendence; and of determining the boundaries of parishes (if any) within the limits thereof; and may comprize hereditaments situate within *Two* Miles of the original limits thereof, and also within the county, with the written consent of the parties, for the time being, in receipt of the rents of such hereditaments respectively, although any of such parties may be a corporation, married woman, guardian, committee, trustee or mortgagee; and where any such party is entitled to such hereditaments, as ecclesiastical incumbent, then with the further written consent of the patron and ordinary (if any) of the benefice whereof such hereditaments are part.

Incapacities removed.

50. Payment of the expenses of the Award.

Every Party for the time being in receipt of the rents of the whole, or any undivided part, of any hereditaments comprized in such Award may, with the consent thereby testified of the Commissioners making the same, and stating therein the amount to be raised by such Party, sell or mortgage any of such hereditaments for raising the amount of the expenses occasioned by such Award in respect of the same hereditaments, and not defrayed with the produce of sales made by such Commissioners; and every indented deed, executed by such Party pursuant to such consent, shall have the same effect as if such Party were solely and legally seised in fee in possession, and had made an effectual assurance according to the tenor of such deed, although such Party may have only a partial estate in the whole, or some undivided part, of the hereditaments comprized therein, or may be a corporation, married woman, guardian, committee, trustee or mortgagee, except that not more than half a year's interest of any money, so raised by mortgage, shall be a charge on any other estate in the hereditaments so mortgaged than that during the continuance whereof such interest shall have fallen due; and such party is hereby indemnified from the consequences of every such deed.

Incapacities removed.

51. Money raised for the expenses of the Award accounted for by the Commissioners.

All Money raised for defraying the expenses of every such Commission and Award shall be applied accordingly by the Commissioners executing the same, and with the expenditure thereof, be fully stated in an Account, which within *Six* calendar Months after the date of their Award shall be given by them of the execution of the presentment under which such Award shall have been made.

52. Shares, &c. to be Personal Estate.

All Tolls, Rates and Shares authorized by presentment to be taken, levied and created respectively on account of any public work under this Act shall be personal estate and transferable and transmissible accordingly.

53. Mode of levying County Rates.

The Rates payable under this Act shall, subject to the provisions thereof, be levied as grand jury rates have heretofore been levied; but when a Valuation of the county, or of any part thereof, becomes applicable for the purposes of this Act, such valuation shall, as far as it extends, be the guide for ascertaining the amounts of individual assessments, by a Poundage to be certified as hereinbefore directed; and, as far as no sufficient guide shall be for the time provided by any such valuation, the proportions in which individual assessments shall be made, within every denomination liable to be separately assessed to County Rates, may from time to time be fixed by the certificate in writing of the majority of *Three* Persons appointed by the Sub-Committee for superintending the levying and application of money; and every such certificate shall be verified by the affidavit of such majority at any Petty Sessions within the county, and shall be delivered in duplicate to, and preserved by, the Treasurer of the county and the Collector of County Rates from the property affected thereby, and shall remain in force until a subsequent valuation, or a change of the property comprized therein, shall have superseded the same, or rendered a new certificate necessary.

54. County Valuation.

A Valuation of the County, or of any part thereof, made under the Act passed in the seventh year of his late Majesty King GEORGE the Fourth, for the uniform valuation of lands in Ireland, and in the meantime whenever made under any other Statute, shall be adopted under the following regulations; namely, the Sub-Committee for superintending the levying and application of money shall add thereto all Fisheries omitted therein, with the average clear annual value of the same respectively during the three years preceding the then last meeting of the County Board, and also all Compositions for tithes, and all Tenements omitted therein; with the respective annual value of the property included in the amended valuation, according to the scale fixed by such Act of the seventh year of his late Majesty King GEORGE the Fourth, as far as it may be applicable, and also with the names of the respective occupiers and immediate owners of such property; and shall expunge therefrom all Fractions of a pound; and all tenements devoted to charitable or other public purposes, or of less value than *Five* Pounds a year each, or erected within the *Seven* like preceding years, and all increased value occasioned by improvements made within the same period; and shall, pursuant to advertisement inserted thrice in the county newspaper, deposit copies of such amended valuation, certified by such Sub-Committee, with the Secretary of the County Board, the Treasurer of the county, the County Engineer, and every Collector of County Rates, from

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from property included in such valuation respectively, for *One* calendar Month, in order that the same may be freely examined and copied at all reasonable hours by any of the Rate-payers affected thereby; and shall immediately after the month, and at a place within the limits of such valuation to be appointed by like advertisement, meet and decide all objections to the amended valuation, and may alter the same according to the objection; and shall stand adjourned from day to day at Ten o'clock in the forenoon (Sunday excepted) while any such objection is undecided; and shall, pursuant to like advertisement, deposit like certified copies of the valuation, finally arranged by such Sub-Committee, in like manner and for the like period and purposes; and the valuation so finally arranged shall (subject to alteration on appeal conformably to the foregoing directions) be adopted within the limits thereof for the purposes of this Act; and the adopted valuation may, after the expiration of every *Seven* Years, be from time to time amended in like manner; but Tenements immediately occupied under the same Party, and each of less value than *Five* Pounds a year, and together of greater value than *Ten* Pounds a year, and being (where property is locally divided for the purpose of distinct assessment to County Rates) in the same division shall be included as one tenement in the amended valuation, together with the name of such Party as actual occupier thereof, who shall be dealt with accordingly (yet not so as to make the tenant's goods liable to seizure); and such Party shall be answerable for the rates charged on such tenements in an action at the suit of the Collector; and service of process on such Party's known agent shall be equivalent to personal service thereof; and the total acreage and annual value of every denomination liable to be separately assessed to County Rates shall be made to appear in such amended valuation; and a printed copy of that part of such amended valuation which states the total acreage and annual value of every such denomination, certified by the signatures of the Treasurer of the county and Secretary of the County Board to be correct, shall be evidence thereof for the purposes of this Act.

Landlord answerable for certain rates.

55. Recovery of Rates.

The Rates recoverable under this Act shall not exceed *One* Year's arrear; and when a valuation shall, under this Act, have been adopted for the county, every party having paid rates, or any part thereof, directly or indirectly, under this Act, may, out of and in part satisfaction of the next rent payable by such party for the same property, make a Deduction not exceeding *Three-fourths* of such Poundage on the annual rent thus payable as shall have been used for ascertaining the rates in consequence whereof the deduction shall be claimed; but the deduction shall not exceed the payment which immediately gives rise to it, nor contain a fraction of a penny, nor affect any remedy by ejectment; and every stipulation for defeating such deduction in connexion with any assurance made for an estate not exceeding *Three* Lives or *Thirty-one* Years,

Deductions over on account thereof.

shall be void; and every private annual sum payable out of property charged with rates under this Act (interest for money excepted) shall be subject to deduction like rent.

56. Labourers on Public Work may deposit money with the County Treasurer for the purposes of Emigration.

Every Person employed for not less than *Thirty* Days on any work for which a presentment shall have been fiated under this Act shall, within *One* calendar Month after demand thereof, receive from the Contractor or County Engineer engaged in the execution of every work whereon such Person shall have been so employed, a certificate stating the number of days for which he shall have been so employed during the *Twelve* preceding calendar months, and the amount of wages which he shall have thereby earned; and such Person, on production of such certificate to the Treasurer of the county, may deposit with him a sum not less at one time than *Two* Pounds for the purpose of Emigration to any of the British Colonies specified by such Person, and shall thereupon receive from such Treasurer a certificate stating the amount and particulars of such deposit; and every such sum shall be forthwith remitted by such Treasurer to the County Bank, and placed to a distinct account, called "The Emigration Fund," and be entered in a book to be kept by him for the purpose to the credit of the depositor.

57. Deposit applied accordingly.

Every Sum so deposited shall, under the sanction of one of His Majesty's Principal Secretaries of State for the time being, and in such manner as shall have been authorized by the County Board, be from time to time applied by such Treasurer in enabling the depositor thereof, and every Person (if any) named by him, to emigrate to the colony specified.

58. Parochial aid to such Depositors.

Every such Depositor may, either before or after making any such deposit, apply to the Sub-Committee of any parish in the county, appointed under an Act passed in the year of the reign of His present Majesty King WILLIAM the Fourth, and intituled, "An Act to authorize the Relief of the Poor in Ireland in certain cases," for aid to emigrate to any of the British Colonies; and shall state in such application the number and respective ages of the Persons on whose behalf the same is made; and a Roll of all such Persons shall be prepared, as nearly as may be, in manner directed for making a Roll of Helpless Poor under the same Act; and upon proceedings being taken, and a statement (if any) being prepared by the Committee of the same parish, appointed under the same Act, similar to the proceedings and statement required thereby in case of Helpless Poor, the statement so prepared shall have the same force as a like statement by such Committee under the same Act; but the sum allowed for every such Person named in the statement so prepared shall not exceed *Three* Pounds when the age is *Fourteen* Years or more, nor *Two* Pounds when the age is under *Fourteen* Years; and the money to be levied under any statement so prepared

prepared shall not, together with any money raised under the same Act, exceed the limit (if any) of the money thereby authorized to be raised; and shall, when levied, be placed to the account, called "The Emigration Fund," and be entered to the credit of the respective Depositors making the application for aid therefrom, and be applied accordingly in manner hereinbefore directed.

59. Certain powers, &c. of Grand Jury, &c. transferred to County, Board, &c.

The powers and Duties by the same Act vested in and imposed upon the Grand Jury, Treasurer of the County, Secretary of the Grand Jury and Collectors of Grand Jury Rates respectively, shall, when the County Board has been constituted, be exclusively vested in and imposed upon such County Board, and the Treasurer of the County, Secretary of the County Board and Collectors of County Rates under this Act respectively.

60. Salaries of Public Officers.

The respective Remunerations to the several Officers specified in Schedule (B.) shall be such as are stated therein, and no other remuneration shall be allowed to any of them on any account whatever.

61. Posting, &c. of Notices.

All Notices shall be fairly written or printed, and signed by the Persons respectively giving the same, and (except in cases of meeting of the County Board, or Committee or any Sub-Committee of Superintendence, Appeal or Action) shall, if from site or otherwise specially relating only to one parish, or some part thereof, be posted on every police station (if any) and between *Ten* o'clock in the forenoon and *Four* o'clock in the afternoon on the usual place for posting notices of application for presentments in the parish, and before the first posting be delivered to the Clerk of the District Petty Sessions for public examination; and shall, if not so relating, be inserted thrice in the county newspaper, and be posted between the same hours on the principal outer door of the Court House (if any) in which the Quarter Sessions of the Peace are held for every district wherein any hereditaments mentioned in such notice are situate, and before the last insertion thereof be transmitted to the Secretary of the County Board, if any.

62. Delivery of Notices.

Leaving a Notice at the usual abode, and with any of the family, above *Sixteen* years old, of the Party to whom the same is to be given, or if such party be an officer of the County Board, then sending the same by post, free of postage, shall be a Delivery thereof.

63. Vacancies in Offices.

Every Appointment which ought to be made by the County Board may be made by the Committee of Superintendence, until made by the County Board.

64. County Treasurer's Securities.

All present Securities for the due execution of the office of Treasurer of the county shall extend to all money received by him under this Act.

65. Traverse to Presentments.

Every Presentment of the County Board shall be exempt from Traverse, except the same be for executing or maintaining a public work, or for passing an account, in which case such presentment may be traversed only for inutility in the work to which the same relates, by or on behalf of any party interested in any hereditaments specially affected by such work, or for incorrectness in the Account to which the same relates, by or on behalf of any rate-payer liable to pay county rates in discharge of such account; and every Traverser must give notice of traverse, and of the specific subject thereof to the Secretary of the County Board *Ten* Days at least before its meeting previously to the Assizes at which the presentment to be traversed shall be made, and also (in case of an account) to the Party accounting, and at the Special Sessions whereat such account shall be examined, and must at such Assizes, or (in case of an account) at such Special Sessions enter into a recognizance in an amount to be determined by the Judge of Assize or by the Special Sessions, as the case may be, for prosecuting such traverse, and thereupon such traverse shall be entered in the Crown Book.

66. Trial of Traverse.

Every Traverse shall be tried on the entry in the Crown Book of the same, and of the presentment to which the same relates without making up a record thereof, and at the discretion of the Judge of Asssize, either at the Assizes at which such Traverse shall be entered, or at the then ensuing Assizes.

67. Union of a County and of a County of a City or Town.

Every County of a city or town may be united to a surrounding or adjoining county, so as to form a District thereof for the purposes of this Act, by the Chief Governor of Ireland, by an order in Council, stating the name of such district, and the proportion to be borne thereby of the charges on the county at large, and founded on a presentment passed by the County Board of each such county in consequence of an application similar to an application for a presentment to execute public works and fiated by the Judge of Assize thereat respectively; and such union shall take place from the end of *Six* calendar Months after such order shall have been lodged with the Treasurer of each such county; and a copy of such order, signed by either of such Treasurers, shall be evidence thereof.

68. Hereditaments used by a County deemed situate therein.

All hereditaments for the time being, finally appropriated to the public purposes of a county at large, shall be deemed situate therein.

69. Penalty on Persons acting without Qualification, &c.

Every Person acting under this Act without the qualification, or without having delivered the certificate, or given the security required,

(if

(if any), or being County Engineer, or Assistant Engineer, and directly or indirectly interested in or answerable otherwise than as such Engineer for the execution of any contract under this Act, or being Member or Officer of a County Board, and directly or indirectly corresponding with any Person as Member or Officer of any other County Board without the previous sanction of a Judge of Assize, or of the Board of Public Works in Ireland, or as Member or Officer of any County Board and without such sanction agreeing to or causing to be prepared or published any address, petition, resolution or declaration not required by this Act, may be fined at discretion by any Judge at Assizes for the county held within one year after the commission of the offence; and where such security is required, shall be for ever afterwards incapable of holding any office of profit under this Act.

70. Penalties.

Every Person neglecting to fill the office, or perform the duties put upon him by this Act (not being the office of one of the Committee of Superintendence filled by him within the *Five* preceding Years), or wilfully impeding or unduly interfering with the execution of this Act, shall for every such offence forfeit a sum not exceeding *Twenty* Pounds for neglect of executing the warrant of the Sub-Committee for superintending the execution of Public Works, nor *Five* Pounds for every other offence, and to be imposed within *Three* calendar Months thereafter by two Magistrates at Petty Sessions on proof thereof by the confession of the Party, or testimony of one credible Witness, and to belong one-half to the Treasurer of the county for the benefit thereof, and the other half to the prosecutor, and in default of payment for *Seven* Days, to be levied, with all costs resulting from the non-payment, not exceeding *Two* Pounds, by distress and sale of the offenders' goods on a warrant under the hands and seals of two Magistrates at Petty Sessions, and the overplus (if any) of such sale shall be returned to the offender; and if, on the return of the warrant, there appear, by like testimony, to be no sufficient distress, every such offender may, on a like warrant, specifying the forfeiture imposed and costs occasioned thereby, be committed to the Gaol or House of Correction for the county, there to remain without bail or mainprize for any period not exceeding *Two* calendar Months, if such fofreiture and costs so long remain unpaid.

71. Appeals.

Every Person aggrieved by any proceeding under this Act may appeal as follows; (namely) to Petty Sessions in respect of omissions or particulars in the Collector's List; to the County Board in respect of omissions or particulars in the valuations; to the General Quarter Sessions for the county, in respect of decisions made by Commissioners appointed by the County Board preparatory to their Award, or of forfeitures authorized by this Act; and to the Board of Public Works in Ireland in respect of accounts totally or partially disallowed; and the

Court of Appeal may confirm, annul or alter the matter appealed against, and adjudge to either Party such costs, not exceeding *Twenty* Pounds, in case of an award, and *Ten* Pounds in every other case, as may seem just, which shall be recovered like a forfeiture under this Act left unpaid for *Seven* Days; but every Appellant must give notice of Appeal, and of the specific subject and ground thereof to the Collector whose List is in question when made to Petty Sessions *Three* Days, and a like notice to the Secretary of the County Board, and to every Collector of County Rates from the property affected by such Appeal, when made to the County Board, *Fourteen* Days at least before the time of hearing the Appeal; and a like notice to such Secretary, on behalf of the Committee of Superintendence, when made to such Board of Public Works, within *Twenty-one* Days after such disallowance, and a like notice to the Commissioners whose decision is in question, within *Twenty-one* Days after such decision, and to the Clerk of the Petty Sessions when made in respect of a forfeiture within *Three* Days after such forfeiture is imposed; and must, in either of the two last cases, within *Three* Days after such notice, enter into a recognizance, with two sufficient sureties, before a Magistrate of the county, for prosecuting and abiding by the issue of the Appeal.

72. Prosecution of Appeals.

Every Appeal must be prosecuted at the Court of Appeal next after the occurrence of the grievance complained of, and the expiration of an interval double the time allowed for giving notice of appeal; but no pending Appeal shall suspend the levying of money in pursuance of any Presentment, nor shall the decision on an Appeal about a valuation be retrospective.

73. Exemptions from Duty.

Every Certificate, Contract, Receipt, Security and Advertisement under this Act shall be exempt from Duty.

74. Forms.

The Forms and Directions contained in Schedule (A.) shall be followed as far as they are substantially applicable.

75. Construction of Act.

The Provisions of this Act concerning a "County" shall apply to a riding, to a county of a city or town, and to a city and county; and so far as regards the County Engineer or Assistant Engineer, to "any of the Districts thereof;" and those concerning "Districts," to the baronies of the county not divided into districts; and those concerning a "Barony" to a half barony, and to a distinct part of a barony divided under this Act; and those concerning "County Rates," to every rate levied directly under a Presentment by the County Board; and those concerning "Assizes," to Presenting Terms; and those concerning "the Chief Governor," to the Lords Justices acting in his stead; and those concerning the "High Sheriff," to the Chief Magistrate of the place where no High Sheriff

Sheriff shall have jurisdiction; and those concerning "Public Works" to all undertakings which are proposed to be executed or maintained at the expense and for the use of the whole or any part of the county or public, and from which, if such expense is to be charged on any such part, being less than a Barony or District, dissent shall not be expressed by or on behalf of the party or parties for the time being in receipt of the rents of one-third, either in value under this Act or in extent, of the hereditaments to be charged with such expense; and all claims for allotments under every inclosure to be effected through a Presentment shall (subject to the appeal hereby given) be decided by the majority of the Commissioners appointed by the County Board for effecting the same.

76. Indemnity.

Any Proceeding under this Act shall not be quashed for want of form or removed into any of His Majesty's Courts in Dublin, nor through irregularity amount to trespass; but every party aggrieved thereby may, by action on the case brought within *Three* calendar Months after the occurrence of the grievance complained of, and not otherwise, recover satisfaction for the special damage when no sufficient amends have been tendered in the meantime, and notice of such action has, *Ten* Days at least before the bringing thereof, been delivered to the party against whom the same shall be brought; and whenever such action fails, the party complained of therein shall have double costs.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

FORMS.

1.—Collector's List.

Barony [or, District] of County of

No.	Name.	Amount charged.	Amount paid.	Description of Property charged.	Residence.	No.
		£. s. d.	£. s. d.			
1.	A. C. - -	20 10 –	20 10 –	Land and Houses	- - -	1.
2.	C. F. - -	20 19 –	20 5 –	Houses - -	- - -	2.
14.	W. B. - -	14 – –	12 5 –	House and Land	- - -	14.
15.	V. R. - -	15 10 –	12 – –	Land - -	- - -	15.
42.	Y. M. - -	5 11 –	5 – –	Houses - -	- - -	42.

I certify that the above is a correct List of the Names of all Rate Payers and of the sums charged on and paid by them respectively for property within my collection, under presentments fiated at Assizes occurring within the Fifteen calendar Months before this date, pursuant to the of William the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty-

(signed) B. D., Collector of County Rates.

To T. G., Chief Constable of Police.

2.—High Sheriff's Notice for summoning a Meeting within a Collection.

Notice.

Barony [or, District] of County of

A Meeting will be held at [place], on the day of One thousand eight hundred and Thirty- , at Eleven of the clock in the forenoon, to elect Members of the County Board, pursuant to the of William the Fourth, chapter

(signed) P. B., High Sheriff.

Dated this day of One thousand eight hundred and Thirty-

3.—Paper to be delivered to the Chairman of the Meeting within a Collection.

Barony [or, District] of County of

I, T. S., of being a member of the meeting held this day, within this Barony [or, District], pursuant to the of William the Fourth, chapter vote that A. M., of C. D., of &c. shall be members of the County Board.

Dated this day of One thousand eight hundred and Thirty-

(signed) T. S.

To the Chairman of the Meeting.

4.—List

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4.—List of Persons elected at the Meeting within a Collection.

Barony [or, District] of County of

No.	Persons elected.	Residence.	Number of Votes given for him.
1.	A. M. - -	- — -	- 40
2.	X. N. - -	- — -	- 38
3.	Y. T. - -	- — -	- 35
6.	N. P. - -	- — -	- 30

We certify, That the above is a correct List of the Persons for whom the greatest number of Votes was given, and of the number of Votes respectively given for them at the Meeting held in this Barony [or District] pursuant to the of William the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty-

(signed) O. M., Chairman of the Meeting.
B. D., [or, A. N.,] Secretary.

To E. R., Treasurer [or, P. B., High Sheriff,] of the county.

5.—List of Persons selected to be Members of the County Board.

County of

No.	Names.	Residence.	Elected for Barony or District of	Number of Votes given for him.
1	A. M.	- - -	- - - -	40
2	P. O.	- - -	- - - -	65
3	N. P.	- - -	- - - -	30
20	M. Q.	- - -	- - - -	72
30	N. R.	- - -	- - -	63
36	P. W.	- - -	Supplied by the Sheriff.	
37	S. Y.	- - -		

From the lists transmitted to me from the several Baronial and District Meetings, held in the county, I have selected the persons [or persons] whose names are contained [or first mentioned] in the above list to be members of the County Board, [add if necessary, and I have supplied the deficiency in such lists out of persons liable and qualified to serve as members thereof,] pursuant to the of William the Fourth, Chapter

(signed) P. B., High Sheriff.

6.—High Sheriff's Notice for summoning the County Board.

NOTICE.

County of

The County Board will meet at [place] on the day of One thousand eight hundred and Thirty , at Ten of the clock in the forenoon, pursuant to the of WILLIAM the Fourth, Chapter

(signed) P. B., High Sheriff.

To all persons concerned [or to A. M. of .]

7.—Certificate of Qualification of a Member of the County Board, or of a Justice of the Peace at Special Sessions.

County of } I, A. B., certify, That I am bonâ fide possessed [or am heir apparent of C. D., who is possessed] for my [or his] [or my wife's] exclusive benefit of a clear annual income of at least Three hundred Pounds, arising from tenements situate at in this county, [or, am bonâ fide possessed for my exclusive benefit of the clear annual income arising from Ten thousand Pounds in personal property above all my just debts and incumbrances, and reside at in this county], and that such income, or any part thereof, has not been assured to me [or C. D.] for the purposes of an Act, intituled, "An Act for the administration of certain Civil Affairs of a local nature by County Boards in Ireland." And I solemnly promise to proceed in the execution of the same Act, faithfully and without favour or malice, according to the best of my judgment and the information to be laid before me.

Dated this day of One thousand eight hundred and Thirty

(signed) A. B., Member of the County Board,
[or, Justice of the Peace for the County.]

8.—Notice of Application for a Presentment for levying Money, or by a Contractor for Payment.

NOTICE.

County of [or Barony or District of County of .]

AT the Special Sessions to be held on the day of One thousand eight hundred and Thirty , at for the Barony [or, District] of , an application will be submitted for a presentment to levy the sum of Pounds on the County [or Barony, or District of], [or, for payment of the sum of Pounds, pursuant to the contract entered into for , state the subject of the application].

Dated this day of One thousand eight hundred and Thirty

(signed) T. K. of .

APPLICATIONS.

9.—For a Lease of Tolls or Rates.

County of } WHEREAS under a presentment passed at Assizes, in the year One thousand eight hundred and Thirty , certain Tolls [or Rates] are authorized to be taken for the use of [describe the public Work], which is vested in the Committee of Superintendence, under the of WILLIAM the Fourth, chapter . Now I hereby propose to take, according to the same Act, a Lease of such Tolls [or Rates] for the term of years, at an annual rent of pounds, payable by equal instalments on every

Dated this day of One thousand eight hundred and Thirty .

(signed) T. S. of

10.—For

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10.—For Damages for malicious Injury.

Barony [or, District of] County of

WHEREAS on the day of One thousand eight hundred and Thirty , at [state the particulars of the injury]: Now I certify that I [or C. D., on whose behalf I apply] sustained thereby a loss of at least pounds, as set forth in the annexed Schedule; and that such injury was committed by or more persons [state the name of every one of them known, and the descriptions which can be given of any of them who may be unknown to applicant]; and I propose that such sum of pounds shall be levied on the County [or Barony, or District of .]

Dated this day of One thousand eight hundred and Thirty .

(signed) D. K. of

The Schedule must state the particulars injured and the respective amounts of injury.

(signed) D. K.

11.—For opening a new Road.

County of } WE, T. S. of and S. B. of certify, That it is necessary to open a new line of Road from to between and in the Barony [or Baronies, or District or Districts] of according to the annexed Map, Plans, Sections and Specifications, which, with the annexed Estimates, have been made by E. F. of and we propose that the expense, amounting to pounds, of such new line of Road [or that part of such new line of Road which lies between and] shall be levied upon the County [or Barony, or District of] according to such estimates, which we believe to be fair and reasonable.

Dated this day of One thousand eight hundred and Thirty .

(signed) T. S.

S. B.

The Map must be on a scale of not less than ten inches to one mile, and must include the present road [if any], for which such new line is to be substituted, and show every road and stream, crossing either the present line or such new line.

The Sections must show the respective inclinations of every part of the ground over which it is proposed to make the new road, and of the proposed road, and of the present road [if any] throughout the whole length of each, and the differences between each in vertical height above their respective bases, and the alterations proposed to be made in every hill or hollow, and the width and form of the proposed road, fences and drains: The vertical height of every such base above some fixed point must be also shown.

The longitudinal Section must be on the same scale with the Map.

The vertical Section must be on a scale of not less than one inch to thirty feet, in case the total height above the base shall not exceed three hundred feet, and on a scale of not less than one inch to sixty feet in every other case.

The cross Section must be on a scale of not less than one inch to ten feet.

There must be a separate Plan, Elevation, Specification and Estimate, pursuant to Schedule (A.) No. (20.) for every Bridge, and for every description of gullet, proposed to be built on the new line.

The specification for the road must contain distinct details of the quantity, size and kind of materials to be used, and the mode of using them; and must correspond with the Map or Plan [as the case may be], and the Sections.

The Estimate must state separately the detailed expenses of completing the whole and every one of the proposed works, and the time within which the same should be completed; and also the expense proposed to be levied on every barony [or district], and on the county respectively.

Dated this day of One thousand eight hundred and Thirty

(signed) E. F.

 12.—By

12.—By Tender for a Contract to make a New Road.

Barony [or, District] of County of

I [or, We] T. K. of in the county of &c., propose to form, level and drain yards in length of the intended road from to between and all in this barony [or district], for the sum of pounds, being at the rate of by the yard: and to finish the same yards with small stones or gravel for the sum of pounds, being at the rate of by the yard: and to fence the same yards at both sides for pounds, being at the rate of by the yard; making in the whole pounds, which includes all charges for such works; and I [or we] propose to complete the same works before the day of One thousand eight hundred and Thirty pursuant to the Map, Specification and Sections, which were presented by the County Board at the meeting thereof, held previously to Assizes, One thousand eight hundred and Thirty and I propose as my sureties R. U., of , and S. S., of

Dated this day of One thousand eight hundred and Thirty

(signed) T. K.

13.—For repairing a Road.

Barony [or District] of County of .

We, T. S. of and S. B. of certify, That we have lately measured yards in length of the road from to between and ; and that of such yards yards are in the townland of , and yards in the townland of [or between the townlands of and] all in this barony [or district]; and that such yards cannot be effectually repaired, according to the annexed specification, for less than pounds, being at an average rate of by the yard; and we propose that such sum of pounds shall be levied on the county [or barony, or district of .]

(signed) T. S.

S. B.

Dated this day of One thousand eight hundred and Thirty

The specification must contain distinct details of the quantity, size and kind of materials to be used, and the mode of using them, and must state the proposed form and clear width of the road when repaired, and also the width proposed to be covered with small stones, gravel or pavement.

The estimate must state separately the detailed expenses of completing the proposed work, and the time within which the same should be completed.

Dated this day of One thousand eight hundred and Thirty

(signed) T. S. [or E. F.]

14.—For widening or straightening a Road, and making Fences instead of those to be taken away.

Barony [or District] of County of .

We, T. S. of and S. B. of certify, That we have lately measured yards in length of the road from to between and ; and that of such yards are in [or between] the townland of &c., all in this barony [or district], and that it is necessary to make such yards of the uniform width of feet in the clear between the ditches, banks, drains or fences, and to make new fences instead of those to be removed, and to repair yards of such road; and that the same works cannot be executed for less than pounds, according to the annexed Map, Section and Specification, which, with the annexed Estimates, have been made by E. F. of ; and we propose that such sum of pounds shall be levied on the county [or barony, or district] of

(signed) T. S.

S. B.

Dated this day of One thousand eight hundred and Thirty

The

The Map must show the present and the proposed width of the road, and the sides of the road on which the widening is to take place.

The cross Section must show the form of the road when completed.

The Scales for the Map and Section must be according to the directions in Number 11 of this Schedule.

The Specification must contain distinct details of the fences to be made, and of the quantity and kind, and (if necessary) the size of the materials to be used, and the mode of using them, and must correspond with the Map and Section.

The Estimate must state separately the detailed expenses of completing the whole and every one of the proposed works, and the time within which the same should be completed, and also the expenses proposed to be levied on every barony [or district] and on the county.

Dated this day of One thousand eight hundred and Thirty

(signed) E. F.

15.—For Making or Repairing a Footpath.

Barony [or District] of County of

We, T. S. of and S. B. of certify, That it is necessary to make [or repair] yards of footpath on the road [or intended road] [or within the fence along the side of the road] from to between and all in this barony [or district]; and that the same cannot be executed, according to the annexed specification, for less than pounds, being at an average rate of by the yard; and we propose that such sum of pounds shall be levied on the county [or barony or district of .]

Dated this day of One thousand eight hundred and Thirty

(signed) T. S.

S. B.

The Specification must state the materials proposed to be used, and the mode of using them, how much of the footpath is to be newly formed [or raised, or widened], and how the same is to be secured by stones along the edge or otherwise.

Dated this day of One thousand eight hundred and Thirty

(signed) T. S. [or E. F.]

16.—For lowering a Hill or filling a Hollow [or both, as the case may be] including the building of a Bridge or Gullet, if necessary.

Barony [or District] of County of

We, T. S. of and S. B. of certify, That we have lately measured yards in length of the road over the hill [or hollow] in the townland of in this barony [or district] being part of the road from to and that it is necessary to [state the works proposed], and that such works cannot be executed for less than pounds, according to the annexed Map, Section, Plan, Elevation and Specification, which with the annexed Estimates have been made by E. F. of and we propose that such sum of pounds shall be levied on the county [or barony, or district of] according to such estimates, which we believe to be fair and reasonable.

Dated this day of One thousand eight hundred and Thirty

(signed) T. S.

S. B.

The Map and longitudinal Section must show the length of the road to be lowered or raised, the inclination of the present and of the proposed surface, the perpendicular ascent, descent and length proposed to be saved, and the width of the road when altered.

The cross Section must show the form of the road, and of the fences and embankments. The Scales for the Map and Sections must be according to the directions in Number 11 of this Schedule.

The Plan, Elevation and Specification of the bridge or gullet must be pursuant to Schedue (A.) No. 20.

The Specification for lowering the hill or filling the hollow must state the quantity and kind of materials to be moved, and whether the same will be applicable to the work; also the quantity, size and kind of materials to be used in making the road, and the mode of using them.

The Estimate must state separately the detailed expenses of completing the whole and every one of the proposed works (including the fences); and also the expenses proposed to be levied on every barony [or district] and on the county respectively.

(signed) E. F.

Dated this day of One thousand eight hundred and Thirty- .

17.—For filling Grips, Drains or Trenches on the side of a Road, [add, if necessary,] and making Fences thereto

Barony [or, District] of County of

We, T. S. of and S. B. of certify, That we have lately measured yards in length of the road from to between and all in this barony [or district], and that yards in length of [grip, &c.] immediately adjoining to such yards of road, are of the average width of and depth of measuring cubic yards, and are dangerous for travellers; and that it will require at least the sum of pounds to fill up the same; [add, if necessary, and the sum of pounds to make a sufficient fence, [or wall with the trench on the field side thereof] being at the average rate of by the yard in length for filling up [add, if necessary, and by the yard in length for making the fence or wall]; and we propose that the expense of such works shall be levied on the county [or barony, or district of .]

(signed) T. S.
S. B.

Dated this day of One thousand eight hundred and Thirty- .

18.—For making Fences on the side of a Road.

Barony [or, District] of , County of

We, T. S. of and S. B. of certify, That we have lately measured yards of the road from to between and all in this barony [or, district]; and that it is dangerous for travellers to pass along such yards of road, as there are not sufficient fences between the same and the drains [or, holes] on the sides thereof; and that it will require at least the sum of pounds to make such fences, being at the average rate of by the yard; and we propose that such sum of pounds shall be levied on the county, [or, barony or district of] Dated this day of One thousand eight hundred and Thirty .

(signed) T. S.
S. B.

19.—For

19.—For making or enlarging a Drain to convey Water from a Road.

Barony [or, District] of County of

We, T. S. of and S. B. of certify, That it will require at least the sum of pounds to make [or, enlarge] yards in length of drain (being at the average rate of by the yard) to convey away the water which injures the road from to between and all in this barony [or, district], such drain to be on the average at least feet wide at top, feet in perpendicular depth, and feet wide at bottom [add, if necessary, and the sum of pounds to make yards of fence between such drain and road, being at the average rate of by the yard]; and we propose that such sum of pounds [or, sums of pounds and pounds, making together pounds] shall be levied on the county [or, barony, or district of] Dated this day of One thousand eight hundred and Thirty .

(signed) T. S.
S. B.

20.—For building, enlarging or repairing any public Building, or a Bridge, Gullet or Wall.

Barony [or, District] of County of

We, T. S. of and S. B. of certify, That we have lately examined , and that it is necessary to [state the work] at [describe the site] in this barony [or, district], according to the annexed Plan, Section, Elevation and Specification, which, with the annexed estimates, have been made by E. F. of ; and we propose that the expense, amounting to pounds, of such shall be levied on the county [or, barony, or district of] according to such estimates, which we believe to be fair and reasonable.

Dated this day of One thousand eight hundred and Thirty .

(signed) T. S.
S. B.

The Plan, Elevation and Sections must be on a scale of not less than one inch to ten feet, and must delineate the several parts of the work, and state the respective dimensions in figures, to correspond with the respective scales; and for every bridge there must be a longitudinal section through the abutments, arches and piers, and a cross section for every abutment and every different pier.

An elevation is not necessary where the sum required is less than *Forty* pounds in the case of a public building, or *Ten* pounds in the case of a bridge, gullet or wall.

The Specification must contain distinct details of the quantity and kind of materials to be used, and the mode of using them; and of the parts, if any, proposed to be built with cut or hammered stone, or with common masonry.

The Estimate must state separately the detailed expenses of completing the whole and every one of the proposed works, and the time within which the same should be respectively completed, and also the expenses proposed to be levied on every barony [or, district], and on the county respectively.

Dated this day of One thousand eight hundred and Thirty .

(signed) E. F.

21.—By Contractor (under Number 11 and Numbers 13 to 20, inclusive) for Payment.

County of [or Barony, or District of County of]

Whereas the sum of pounds was presented at Assizes, in the year One thousand eight hundred and Thirty . For [insert according to the case.]

[Laying out, forming, levelling, draining, fencing, finishing with small stones or gravel, repairing, widening, straightening yards in length of the road or intended road.]

[Making, repairing yards of a footpath.]

(Lowering a hill, filling a hollow [state any other works] in the townland of on the road.)

[Filling up yards of grips [state any other works] on the side of the road.]

[Making yards of fence on the side of the road [or intended road.]

[Making, enlarging yards of drain to convey water from [add, if necessary, making yards of fence] to the road]

from to , between and , all in this barony [or district] [Or in case of a public building or bridge For [state the work] at [describe the site] all in this barony [or district.]

And whereas I contracted to execute such work [or works] for the sum of pounds; Now having duly executed such [or a part of such] works, according to such contract, I hereby apply for payment pursuant thereto [or an advance of pounds, pursuant to the of WILLIAM the Fourth, chapter .]

Dated this day of One thousand eight hundred and Thirty .

(signed) T. K. Contractor.

22.—For erecting Mile-posts or Finger-posts.

Barony [or District] of County of .

WE T. S. of of and S. B. of certify, That it will require at least the sum of pounds to erect mile-posts [or finger-posts] on the road, from to , between and in this barony [or district], being at the rate of for each mile-post or [finger-post]; and we propose that such sum of pounds shall be levied on the county [or barony or district of].

Dated this day of One thousand eight hundred and Thirty .

(signed) T. S.

S. B.

23.—By Contractor for Payment for erecting Mile-posts or Finger-posts.

Barony [or District] of County of .

WHEREAS the sum of pounds was presented at Assizes, in the year One thousand eight hundred and Thirty , for erecting mile-posts [or finger-posts] on the road from to , between and in this barony [or district] being at the rate of for each: And whereas I contracted to erect such [or of such] mile-posts [or finger-posts] for pounds, being at the rate of for each; Now having duly erected the same according to such contract, I hereby apply for payment pursuant thereto.

Dated this day of One thousand eight hundred and Thirty .

(signed) T. K. Contractor.

24.—For keeping a Road in Repair by Contract.

Barony [or, District] of County of .

WE, T. S., of and S. B., of certify, That we have lately measured yards in length of the road from to between and ; and that of such yards yards are in the townland of , and yards in the townland of [or, between the townlands of and] all in this barony [or, district]; and that such yards cannot be effectually kept in repair for years, according to the annexed specification, for a less sum than pounds by the year, being at the average rate of by the year, by the yard; and we propose that a moiety of such sum of

pounds

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pounds shall be levied half-yearly during such years on the county [or barony or, district] of

Dated this day of One thousand eight hundred and Thirty .

(signed) T. S.
S. B.

The Specification must contain distinct details of the quantity, size and kind of materials to be used, and the mode of using them; and must state the proposed form and clear width of the road to be kept in repair, and the width to be covered with small stones, gravel or pavement.

Dated this day of One thousand eight hundred and Thirty .

(signed) T. S. [or, E. F.]

25.—By Contractor for Payment for keeping a Road in Repair.

Barony [or District] of County of

WHEREAS at Assizes in the year One thousand eight hundred and Thirty a Presentment was fiated for keeping in repair for years, by contract, yards of the road from to between and all in this barony [or, district]: And whereas under such Presentment I contracted to keep in repair for years such yards, for the sum of pounds by the half-year; Now having kept such yards and all parts thereof in good repair [add if necessary, except] according to my contract since [insert the time specified for that purpose in the contract, or the date of the last account (if any) which was allowed by the County Board], and having faithfully endeavoured to keep such yards of road free from nuisances, I hereby apply for payment of the sum of pounds, pursuant to such contract.

Dated this day of One thousand eight hundred and Thirty .

(signed) T. K., Contractor.

26.—Notice for summoning an extraordinary Special Sessions, or Meeting of the Committee, or of any Sub-Committee of Superintendence.

NOTICE.

Barony [or District] of County of

AN extraordinary Special Sessions [or Meeting of the Committee of Superintendence] [or Meeting of the Sub-Committee for superintending] will be held at the County Court House [or other place of meeting] on the day of One thousand eight hundred and at o'clock in the forenoon for [state the objects], pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty

[Signed by five Committee-men or three Sub-Committee-men (as the case may be) with their residences.]

27.—Account of Property vested in the Committee of Superintendence.]

County of

	£. s. d.		£. s. d.
Lands at producing	-	{a year, and for the half year ending of 183	-
Houses „	-	- - - - - -	-
Interest of money „	-	- - - - - -	-
Legacy left by „	-	- - - - - -	-
Tolls on „	-	- - - - - -	-
Rates for „	-	- - - - - -	-
Balance in County Bank	-	- - - - - -	-
Carts valued at £			
Barrows - - -			
&c. &c.			

WE certify, That the above is a full and particular account of all property vested in the Committee of Superintendence in this county, and of the value thereof, pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty

[Signed by two members of the Committee of Superintendence.]

28.- Form of Presentments.

At a meeting of the County Board for the county of , held at on the day of One thousand eight hundred and Thirty and the following days, pursuant to an Act passed in the year of the reign of WILLIAM the Fourth, and intituled, "An Act for the administration of certain Civil Affairs of a local nature by County Boards in Ireland," presentments are made as follows, namely—

For appointing the Bank of [state the name of the bank] to be the County Bank.

" The [state the name of the newspaper] to be the county newspaper.

" M. M. of to be Secretary of the County Board, &c. &c.

" B. D. of to be Collector of County Rates for the Barony [or District] of , and to receive a poundage of [not exceeding nine-pence] on the sums by him duly collected and placed to the credit of the county.

" L. P. of , R. S. of , S. D. of , &c. to be members of the Committee of Superintendence.

" L. P., M. S., &c. to be members of the Sub-Committee for superintending the

" L. R. of , &c. to be Commissioners for the erection of [or executing] [state the public work], and to receive each the sum of pounds as a remuneration for his services, with power to such Commissioners, with the approval of the Board of Public Works in Ireland, to impose rates and to determine the mode of levying the same, for defraying the expenses of such Commission.

For forming a District, to be called "the District of ," and to comprise [state the parishes or townlands or other denominations.]

For fixing to be the place for holding Special Sessions for the barony [or district] of , and to be the place for posting notices for the same, and to be the place for posting notices for the parish of .

" The day of One thousand eight hundred and Thirty , at o'clock, to be the time for a meeting of the Committee of Superintendence [or Sub-Committee for superintending] at [place].

For levying on the county [or barony or district of] the sum of pounds for opening a new road from to between and in the barony [or district] of , according to the map, plans, sections and specifications approved of and allowed at this meeting; [add, if necessary, such sum of pounds [or pounds and the interest thereof,] to be so levied by half yearly [or by half yearly] instalments of pounds each, [or, and by a final half years' instalment of pounds], the first instalment to be levied after this present meeting of the County Board, and the remaining instalments after every successive meeting thereof, until the whole of such sum of pounds shall be so levied [or until the interest for the time being due in the first place, and the whole of such sum of pounds in the next place, shall be so levied].

N.B. By this form each instalment for repayment of the loan may be applied (if the parties so arrange it) in the first place in the discharge of all interest due at the time, and then in reducing the principal.

" on the county the sum of pounds for the expenses of the Committee of Superintendence and the Sub-Committees thereof.

For

For levying on the barony [or district] of the sum of pounds being the amount of the Poundage due to B. D. on the sums by him collected within the same since Assizes One thousand eight hundred and Thirty , and placed to the credit of the county.

For selling [state the hereditaments] vested in the Committee of Superintendence.

29.—Warrant of Arrest of a Person obstructing the Proceedings of the Special Sessions or County Board.

County of } WHEREAS A. M. of did by [specify the offence] on the
to wit. } day of One thousand eight hundred and Thirty- ,
wilfully obstruct the proceedings of the Special Sessions [or County Board] when assembled pursuant to the of WILLIAM the Fourth, chapter at in this county, and was therefore adjudged by the said Special Sessions [or County Board] to forfeit pounds, and to pay the same forthwith to the Secretary of the County Board for the use of the county, which sum is still unpaid: You are, therefore, under the same Act, hereby ordered to arrest the said A. M., and deliver him to the keeper of the Gaol [or House of Correction] of the county, together with the subjoined Warrant of Committal. Given under my hand and seal at in this county, this day of One thousand eight hundred and Thirty-

Chairman of the Special Sessions } C. F.
[or County Board] } L. S.

N.B. The Forfeiture cannot exceed Five Pounds, nor the term of Imprisonment Ten Days.

30.—Warrant of Committal for Non-payment of Forfeiture.

County of } To the Keeper of the Gaol [or House of Correction] of the County.
to wit. } WHEREAS A. M. of did by [specify the offence] on the
day of One thousand eight hundred and Thirty , wilfully obstruct the proceedings of the Special Sessions [or County Board] when assembled pursuant to the of WILLIAM the Fourth, chapter at in this county, and was therefore adjudged by the said Special Sessions [or County Board] to forfeit pounds, and to pay the same forthwith to the Secretary of the County Board for the use of the county, which sum is still unpaid: You are, therefore, under the same Act, hereby ordered to receive into the said Gaol [or House of Correction] the said A. M., and detain him for [specify the time], if the said forfeiture so long remain unpaid. Given under my hand and seal at in this county, this day of One thousand eight hundred and Thirty-

Chairman of the Special Sessions } C. F.
[or County Board.] } L. S.

N. B. The time of Imprisonment cannot exceed Ten Days.

31.—Recognizance by the County Treasurer, or Collector, or Contractor.

County of [or Barony or District of County of .]

BE it Remembered, That on the day of One thousand eight hundred and Thirty , E. R. [or T. K.] of in this county, esquire, R. U. of in the county of , Esquire, and S. S. of in the county of , merchant, before us severally acknowledged themselves to owe to His Majesty WILLIAM the Fourth each the sum of pounds sterling, to be levied to the use of His Majesty and his successors, subject to the following condition:—

Condition in case of a County Treasurer or Collector.

THE condition of the above recognizance is, that if a certificate of the fulfilment thereof shall be delivered pursuant to an Act passed in the year of the reign

of WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of a local nature by County Boards in Ireland;" and the above bound E. R. shall in the meantime discharge all the several duties by law required of him as Treasurer of the county of [or Collector for the barony or district of], then the above recognizance shall be void; otherwise the same shall, on any default in the discharge of such duties, be in full force.

Condition in case of a Contractor.

WHEREAS T. K. of did, on the day of One thousand eight hundred and Thirty , contract [set out the contract]; and it was thereby agreed that every dispute arising thereout between the said T. K. or his representatives and the Committee of Superintendence for the county of shall be referred to the award of the majority of three uninterested persons, one to be chosen by the said T. K. or his representatives, another by the Committee of Superintendence, and another by the two Referees first chosen; and the award of such majority delivered to the parties in difference within two calendar months after such reference shall be final; and if either party in difference shall omit to choose a referee within six days after notification to such party of the choice of a referee by the other party in difference, the referee so omitted shall be chosen by two Justices of the Peace for the county, and shall have as full power as if he had been chosen by the party so omitting; and the parties in difference shall enter into such bonds of submission, which shall be made a rule of court, as such majority shall direct.

The condition of the above recognizance is, that if a certificate of the fulfilment thereof shall be delivered pursuant to an Act passed [&c., as above], and the above bound T. K. shall in the meantime, in all respects faithfully perform the contract and agreement so entered into by him, then the above recognizance shall be void; otherwise the same shall, on any default in such performance, be in full force.

(signed) E. R. [or T. K.] (L. S.)
R. U. (L. S.)
S. S. (L. S.)

Acknowledged before us, at a Meeting of the County Board [or Special Sessions for the barony [or district] of ,] held at on the day of One thousand eight hundred and Thirty

(signed) C. F. } Justices of the Peace
E. D. } for the County.

32.—Certificate of the above Recognizance having been duly recorded or deposited.

County of [or Barony or District of , County of .]

I certify, That the Recognizance from E. R., as Treasurer of the county of [or Collector for the barony or district], [or Contractor for [state the public work] [if there be sureties add, and his sureties,] has been duly recorded in the Court of Exchequer [or deposited with me] pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty

(signed) A. B., of the Court of Exchequer.
[or M. M., Secretary of the County Board.]

33.—Certificate of the fulfilment by a County Treasurer, Collector or Contractor, of the condition of his Recognizance.

County of [or Barony or District of , County of .]

I [or We] hereby certify, That E. R., of , has discharged the several duties by law required of him as Treasurer of the county of , [or Collector for the barony [or district,] [or has performed the contract entered into by him for [state the work.]

Dated this day of One thousand eight hundred and Thirty

(signed) W. T., Judge of Assize.
[or L. } Committee of
M. } Superintendence.]
N. }

34.—Treasurer's

34.—Treasurer's Certificate and Warrant.

Barony [or, District] of County of

I certify, That under Presentments fiated at the last Assizes for the county, the following sums are now to be levied within the barony [or district], namely

——	Sums to be levied. £. s. d.	——	Poundage. In figures.	Poundage. In letters.	——
On the Barony [or District], being its proportion of Pounds which is now to be levied on the County - - - - -	— — —	which amounts to	5 d.	five-pence	In the pound on the annual value.
On the Barony [or District] exclusively - - - - -	— — —	- „ -	4 d.	four-pence	
On the Parish of A. exclusively -	— — —	- „ -	2 d.	two-pence	
On the Townland of M. in the same Parish - - - - -	— — —	- „ -	3 d.	three-pence	
On the Parish of B. exclusively -	— — —	- „ -	3 d.	three-pence	
Total - - - £.	— — —				

Dated this day of One thousand eight hundred and Thirty .

(signed) E. R., Treasurer.

By this Warrant I require you to collect and pay, pursuant to the of WILLIAM the Fourth, chapter the several sums, amounting to pounds, so to be levied within the barony [or, district] according to the above Certificate.

Dated this day of One thousand eight hundred and Thirty .

(signed) E. R., Treasurer of the County,

To B. D., Collector of Grand Jury Rates. (L. S.)

35.—Notice to be given by Collector to Occupiers within a Denomination.

NOTICE.

Townland of M., Barony [or, District] of County of

I, or one of my deputies will attend at on the day of One thousand eight hundred and Thirty , and at on the day of (as the case may be) to receive the sum of pounds, which under Presentments fiated at assizes, One thousand eight hundred and Thirty , must be levied on the townland [add, as the case may be,] being fourteen pence in the pound on the annual value thereof, according to the certificate of the County Treasurer relative thereto, of which the following is a copy.

Dated this day of One thousand eight hundred and Thirty .

(signed) B. D. Collector of County Rates.

(Copy.)

Barony [or, District] of County of

I certify that under Presentments passed at the last Assizes for the County, the following sums are now to be levied within the Barony [or, District]; namely

——	—— £. s. d.	——	Poundage. In figures.	Poundage. In letters.	——
On the Barony [or District] being its proportion of Pounds which is now to be levied on the County - - - - -	— — —	which amounts to	5 d.	five-pence	In the pound on the annual value.
On the Barony [or District] exclusively - - - - -	— — —	- „ -	4 d.	four-pence	
On the Parish of A. exclusively -	— — —	- „ -	2 d.	two-pence	
On the Townland of M. exclusively	— — —	- „ -	3 d.	three pence	

Dated this day of One thousand eight hundred and Thirty .

(signed) E. R., Treasurer.

I certify the above copy to be correct.

(signed) B. D., Collector of County Rates.

36.—Collector's Receipt.

Townland of M., Barony [or, District] of County of

Number valued at Ten Pounds a year.

Received from T. S., of , Eleven shillings and Eight-pence, for County Rates, under Presentments fiated at Assizes, One thousand eight hundred and Thirty- , being fourteen pence in the pound on such annual value of the above holding.

Dated this day of One thousand eight hundred and Thirty-

(signed) B. D., Collector of County Rates.

37.—Receipt to be given to County Treasurer.

Barony [or District] of County of

Number of Presentment in the Schedule.	Year.	Assizes.	Amount. £. s. d.
44	183	Spring	
49	183	Summer	
		Total -	

Received from the Treasurer of the county pounds shillings and pence in full for [or on account of] the amount due to me [or] as under the presentments referred to in the margin.

Dated this day of One thousand eight hundred and Thirty-

(signed) T. K.

38.—County Engineer's Certificate for an Advance.

Barony [or District] of County of

I certify, That the sum of pounds at least has been faithfully expended in executing [state the work] since the commencement [or last advance on account] thereof, pursuant to the contract for the same entered into by T. K. of

Dated this day of One thousand eight hundred and Thirty-

(signed) W. J., County Engineer.

39.—County Engineer's Certificate of Completion.

Barony [or District] of County of

I certify, That I have examined [state the work] which was contracted for by T. K. of and that the same has been duly completed pursuant to such contract.

Dated this day of One thousand eight hundred and Thirty-

(signed) W. J., County Engineer.

40.—Notice for taking Materials or making Drains.

NOTICE.

Barony [or District] of County of

I shall, pursuant to the of WILLIAM the Fourth, chapter take [state the materials] from [or make a drain through] [state the place] in execution of a presentment fiated at the Assizes One thousand eight hundred and Thirty- for [state the work]

Dated this day of One thousand eight hundred and Thirty-

(signed) T. K., Contractor [or W. J. County Engineer].

To T. S. of

41.—Award

41.—Award of Satisfaction for Damage.

Barony [or District] of County of

WHEREAS A. of B. of and C. of were appointed to ascertain the satisfaction to be made to T. S. of for the damage done by T. K. of in taking [state the materials] from [or in making a drain through] [state the place] in execution of a presentment fiated at Assizes, One thousand eight hundred and Thirty- for [state the work]. Now we, so appointed, award that the sum of pounds shall be forthwith paid by the said T. K. to the said T. S., and shall be received as full satisfaction for such damage.

Dated this day of One thousand eight hundred and Thirty-

(signed) A. of
B. of

42.—Notice of taking Hereditaments for a Public Work.

NOTICE.

Barony [or District] of County of

[State the hereditaments] are required for the execution of [state the work] for which a presentment was fiated at the Assizes, One thousand eight hundred and Thirty- ; and the same hereditaments will be taken on behalf of the County Board, pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty-

(signed) M. M., Secretary of the County Board.

To T. S. of

43.—Consent that Hereditaments may be taken.

Barony [or District] of County of

I, T. S., being occupier [or, in receipt of the rents] of [state the building, or yard, or garden, surrounded by a wall, or part thereof respectively] hereby consent that the same may be taken [or, used so far as, state the extent of the use] for the purposes of a presentment fiated at Assizes One thousand eight hundred and Thirty for [state the object of the presentment.]

Dated this day of One thousand eight hundred and Thirty

(signed) T. S.

44.—Contract for the purchase or renting of Hereditaments.

Barony [or, District] of County of

I, T. S., of hereby contract to ASSURE [add, if necessary, for a term of years] to the Committee of Superintendence and their successors acting on behalf of the County Board for the county of ALL in consideration of the sum of to be paid on the execution of such assurance [or, of an annual rent of payable half-yearly, on every day of and day of and of the rates and taxes in respect of the same hereditaments being paid; and of the same being repaired and kept in repair] according to an Act made in the year of King WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of a local nature by County Boards in Ireland;" and the Committee of Superintendence, on behalf thereof and of their successors, hereby contract to pay such sum of [or, rent of and to satisfy such reservations] accordingly.

Dated this day of One thousand eight hundred and Thirty

(signed) T. S.,

L.
M.
N. } Members of the Committee of Superintendence.

45.—Deed of Assurance to be inrolled.

Barony [or, District] of County of

I, T. S., of in consideration of the sum of paid to me [or, into the Bank of Ireland, [or, to A. B. and C. D., nominated and approved] pursuant to an Act passed in the year of King WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of alocal nature by County Boards in Ireland"] [or, of an annual rent of payable to me and my assigns half-yearly, on every day of and day of and of the rates and taxes in respect of the hereinafter mentioned hereditaments being paid; and of the same being repaired and kept in repair] by the Committee of Superintendence acting on behalf of the County Board for the county of hereby ASSURE to such Committee and their successors for ever [or, for a term of years, determinable by me or my assigns on non-satisfaction of any of the reservations hereby made] pursuant to an Act passed in the year of King WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of a local nature by County Boards in Ireland," [or, pursuant to the same Act,] ALL the hereditaments described in the plan on these presents. In witness whereof I and such Committee have hereunto set our hands and seals this day of One thousand eight hundred and Thirty

(signed) T. S. (L.S.)
L. (L.S.)
M. (L.S.)
N. (L.S.)

Signed, sealed and delivered in presence of
(Two witnesses.)

46.—Notice to take contiguous Land.

NOTICE.

Barony [or, District] of County of

I, T. S., being occupier [or, entitled to the receipt of the rents] of [describe the land] hereby require the County Board to purchase the same, as being contiguous to [state the work] according to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty

(signed) T. S.

To M. M., Secretary of the County Board.

47.—Verdict of Jury.

Barony [or, District] of County of

A. B. C. &c., being the Jurors impannelled and returned by P. B., High Sheriff [or, Coroner] for fixing the amount of compensation [or, purchase money] for [state the hereditaments] which have been taken for the execution of [state the public work] pursuant to the of WILLIAM the Fourth, chapter and having been duly sworn upon their oath, say that the compensation [or, purchase money] to be paid for the same hereditaments is with for expenses, as ascertained by the indorsed certificate; and that thereof, with for expenses so ascertained, shall be paid to U. X. as occupier thereof [or, of state the part], thereof, deducting thereout for expenses so ascertained, shall be paid to W. M. as leaseholder thereof [or, of state the part], and thereof, with for expenses so ascertained, and for further expenses to be occasioned under the same Act, shall be paid for the fee simple thereof, subject to the foregoing interests.

Dated this day of One thousand eight hundred and Thirty

(signed) A.
B.
C. &c.

P. B., Sheriff [or, Coroner.]

N.B.—The further expenses are to include those to be probably occasioned by the payment of compensation into Court, or to trustees, the investment of same in one purchase and settlement of hereditaments, and in stock in the meantime, and the necessary proceedings (if any) in Court.

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48.—Offer by Committee of Superintendence to sell Hereditaments.

Barony [or, District] of County of

THE Committee of Superintendence for the county offer to sell to you [state the hereditaments] which are vested in them by virtue of the of WILLIAM the Fourth, chapter and are not required for the purposes thereof.

Dated this day of One thousand eight hundred and Thirty

(signed) L. M. N. } Committee of Superintendence.

To T. S., of

49.—Affidavit of Offer by the Committee of Superintendence to sell Hereditaments.

Barony [or, District] of County of

I, M. M., Secretary [or, Member] of the County Board, swear that an offer was made on behalf of the Committee of Superintendence to sell [state the hereditaments] to U. X., being the party [or, U. X., W. M., &c., being all of the parties] in receipt of the rents thereof [or in case such hereditaments shall have been taken by the Committee within the ten previous years, who would have been in receipt of the rents thereof if the same had not been taken by such Committee], [add if necessary, and afterwards to L. M., being the party [or, L. M., N. O., &c., being all of the parties] in receipt of the rents of all the adjoining hereditaments], and that such offer was [or, offers were] not accepted within Thirty days after the same was [or, were respectively] made; and that I am not interested in the hereditaments so offered for sale.

Sworn before us at Petty Sessions at on the day of One thousand eight hundred and Thirty

(signed) C. F.
E. D.

(signed) M. M.

50.—Receipt for Purchase-money.

Barony [or, District] of County of

RECEIVED from A. B. of the sum of the same having been placed by him in the County Bank to the credit of the county, and being the consideration for [state the hereditaments] purchased by him from the Committee of Superintendence pursuant to the of WILLIAM the Fourth, chapter and to a Presentment fiated at Assizes, One thousand eight hundred and Thirty under the same Act.

Dated this day of One thousand eight hundred and Thirty

(signed) L. M. N. } Members of the Committee of Superintendence.

51.—Treasurer's Certificate of Non-Payment.

Barony [or, District] of County of

I certify, That by a contract entered into between the Committee of Superintendence and A. B. [or by the verdict of a jury duly impannelled] on the day of One thousand eight hundred and Thirty , the sum of pounds was ascertained to be the purchase money for [state the hereditaments] which were sold pursuant to the of WILLIAM the Fourth, chapter , and that such sum of pounds has not been paid pursuant to the same Act.

Dated this day of One thousand eight hundred and Thirty .

(signed) E. R. Treasurer of the County

52.—Sub-Committee's Warrant to Sheriff or Coroner.

Barony [or, District] of County of .

You are hereby required to impannel, summon and return not less than Forty-eight nor more than Sixty substantial persons, qualified to serve on Juries in the county, from whom a jury will be drawn at in this county, at of the clock, on the day of One thousand eight hundred and Thirty , for fixing the amount of compensation [or purchase-money] to be paid [or received] by the Committee of Superintendence for [state the hereditaments] which are to be taken [or sold] on behalf of the County Board, pursuant to the of WILLIAM the Fourth, chapter .

Dated this day of One thousand eight hundred and Thirty .

(signed) L. } Sub-Committee for superintending
M. } the execution of Public Works
N. } in the county.

To P. B. High Sheriff [or Coroner] of the County.

53.—Notice by Secretary of the County Board.

Barony [or, District] of County of

NOTICE.

A jury will be impannelled on the day of at for fixing the amount of compensation [or purchase-money] to be paid for [state the hereditaments] pursuant to the of WILLIAM the Fourth, chapter .

Dated this day One thousand eight hundred and Thirty- .

To T. S. of (signed) M. M. Secretary of the County Board.

54.—Summons to Witnesses.

Barony [or, District] of County of

You are hereby required, on behalf of the Sub-committee of Superintendence, [or of A. B.] to attend at on the day of at of the clock, to give evidence before the jury to be then and there impannelled, for fixing the amount of compensation [or purchase-money] to be paid [or received] by the County Board for [state the hereditaments.]

Dated this day of One thousand eight hundred and Thirty- .

(signed) P. B. High Sheriff [or Sub-Sheriff]
[or Coroner] of the County.

To X. Y. of

55.—Certificate of Expenses to be indorsed on Verdict.

Barony [or, District] of County of

I certify, That the expenses occasioned by submitting to a jury the question of compensation [or purchase-money], for the hereditaments within mentioned amount to to the sum of pounds, and that such expenses are to be apportioned as follows; namely, pounds to be paid to U. X. in respect of [state the hereditaments]; pounds to be paid by W. M.; pounds to be paid to Y. Z. being tenant for life of [state the hereditaments].

Dated this day of One thousand eight hundred and Thirty- .

(signed) P. B. High Sheriff
[or Sub-Sheriff] [or Coroner.]

56.—Commissioner's

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56.—Commissioners' Certificate of Qualification.

Barony [or, District] of County of

I, A. B. having been appointed a Commissioner for [state the objects of the Commission] under an Act passed in the year of the reign of WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of a Local Nature by County Boards in Ireland," certify that I am bonâ fide possessed [or, am heir apparent of C. D. who is possessed] for my [or, his] [or, my wife's] exclusive benefit, of a clear annual income of at least Two hundred pounds arising from tenements situate at in the county of in Ireland [or, am bonâ fide possessed for my exclusive benefit of the clear annual income arising from Five thousand Pounds in personal property above all my just debts and incumbrances], and that such income or any part thereof has not been assured to me [or, C. D.] for the purposes of the same Act; and I solemnly promise as such Commissioner to inquire into and determine all matters that shall be brought before me, and to exercise the powers vested in me, faithfully, without favour or malice, and according to the best of my judgment.

Dated this day of One thousand eight hundred and Thirty

(signed) A. B. Commissioner.

57.—Consent to an extension of the powers of a Commission.

Barony [or, District] of County of

WHEREAS A. B. C. et cætera were at the Assizes One thousand eight hundred and Thirty appointed by the County Board to be Commissioners for [state the objects and limits of the Commission] Now by these presents I [or, we] D. L. of being in receipt of the rents of the hereditaments which are described in the Plan on these presents, and are situate in this county and within two miles of the original limits of such Commission [if any party be entitled as ecclesiastical incumbent add, And I, P. S. being Patron or Ordinary of the benefice of whereof the same hereditaments are part] consent that the powers of such Commissioners shall be extended to the same hereditaments.

Dated this day of One thousand eight hundred and Thirty

(signed) D. L.

58.—Assurance or Mortgage of Hereditaments to pay the expenses of an Award.

Barony [or, District] of County of

WHEREAS A. B. C. et cætera, appointed at Assizes One thousand eight hundred and Thirty by the County Board to be Commissioners for [state the objects of the Commission] did by their Award dated the day of One thousand eight hundred and Thirty , consent that the sum of pounds should be raised by sale [or mortgage] of the hereditaments hereinafter mentioned towards payment of the expenses occasioned by such Award in respect of the hereditaments thereby allotted to me [or, us] and which are not defrayed with the produce of sales made by such Commissioners; Now I [or, we] D. L. of , being in receipt of the rents of the same [or, of undivided part of the same] hereditaments, Do hereby in consideration of the sum of pounds paid by X. S. of on my [or, our] behalf to such Commissioners, ASSURE by way of sale [or, mortgage] ALL the hereditaments described in the plan on these presents to the same X. S. and his heirs [or, executors administrators and assigns for the term of years] [add in case of mortgage, unless such sum of pounds with interest thereon at the rate of pounds for One hundred pounds by the year be repaid to him or them before the day of One thousand eight hundred and Thirty]

In witness whereof, et cætera, this day of One thousand eight hundred and Thirty

(signed) D. L. (L. S.)

Signed sealed and delivered by the within named D. L. in presence of Two witnesses.

59.—Certificate of Individual Assessments within a Denomination.

Townland of Barony [or District] of County of .

WHEREAS the Sub-Committee for superintending the levying and application of Rates within the county, appointed P. W. of , S. B. of and P. E. of to fix the proportions in which individual assessments shall be made within the above denomination: Now we, the said P. W. and S. B. certify, that the County-Rates which shall from time to time be charged on the same denomination, shall be payable out of the several tenements therein, in the proportions following, namely:

The tenement occupied by A. B. shall pay one-third part.
" " C. D. - one-fourth.
" " E. F. - one-fourth.
" " G. H. - one-sixth.

(signed) P. W.
S. B.

Sworn before us at Petty Sessions, in the county this day of One thousand eight hundred and Thirty- .

(signed) C. F. } Justices of the Peace.
E. D. }

60.—Advertisements relative to a Valuation.

NOTICE.

Barony [or District] of County of .

THE valuation of the barony [or district] of made under the of WILLIAM the Fourth, chapter , and amended [or finally arranged] by the Sub-Committee for superintending the levying and application of money, will be deposited with the Secretary of the County Board, the Treasurer of the County, the County Engineer and the Collector for the barony [or district] of for one calendar month from the day of One thousand eight hundred and Thirty , for public examination, pursuant to the same Act.

Dated this day of One thousand eight hundred and Thirty- .

A. }
B. } the Sub-Committee.
C. }

61.—Certificate of Contractor [or County Engineer] to be given to Emigrants.

Barony [or District] of County of .

I, T. K., Contractor for [or County Engineer directing] the execution of [state the Public Work] for which a presentment was fiated at Assizes, One thousand eight hundred and Thirty- , certify that O. N. of was employed for [not less than Thirty] days on the same work during the Twelve calendar Months preceding this date, and thereby earned a sum of pounds.

Dated this day of One thousand eight hundred and Thirty- .

(signed) T. K. Contractor [or County Engineer.]

62.—Certificate of County Treasurer to be given to Emigrants.

Parish of District of County of .

I certify, That O. N. of has deposited with me a sum of pounds [not less than Two Pounds] for the emigration to the Colony of of the following persons, namely:

Himself, O. N.
His wife, N. N., &c. &c.

Dated this day of One thousand eight hundred and Thirty- .

(signed) E. R. Treasurer of the County.

63.—Application

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63.—Application of Emigrant to Parochial Sub-Committee.

Parish of Barony [or District] of County of

I, O. N., having been employed for days, and thereby earned a sum of pounds, on [state the public work] for which a presentment was fiated at Assizes, One thousand eight hundred and Thirty hereby apply to the parish for aid to emigrate to the Colony of

on behalf of { myself, O. N., of labourer, aged years. / my wife, N. N., of — — / L. S., of weaver, — — }

Dated this day of One thousand eight hundred and Thirty

(signed) O. N.

To the Sub-Committee of the Parish.

64.—Notices of Traverse.

NOTICE.

Barony [or District] of County of

THE Presentment of the County Board for [state the public work] will be traversed by me, as I am [or act on behalf of C. D., who is] interested in [state the hereditaments specially affected by such work] and consider such work to be unnecessary.

Dated this day of One thousand eight hundred and Thirty

(signed) T. S., of

To M. M., Secretary of the County Board.

[or]

The presentment for passing the account of T. K., as contractor for [state the public work, or other subject of account], will be traversed by me, as I am [or act on behalf of C. D., who is] a rate-payer, liable to pay county rates in discharge of such account, and consider the same to be incorrect [state the grounds of objection].

Dated this day of One thousand eight hundred and Thirty

(signed) T. S., of

To M. M., Secretary of the County Board [or T. K., Contractor, &c.]

65.—Recognizance by Traverser.

Barony [or District] of County of

BE it Remembered, That on the day of One thousand eight hundred and Thirty T. S., of in this county, farmer, before me [or us] acknowledged himself to owe to His Majesty WILLIAM the Fourth the sum of pounds sterling, to be levied to the use of His Majesty and his successors, subject to the following condition:—

The condition of the above recognizance is, that if the above bound T. S. shall duly prosecute his traverse of the presentment for [state the public work] [or passing the account of T. K.], then such recognizance shall be void.

Acknowledged before me [or us] at Assizes [or Special Sessions], this day of One thousand eight hundred and Thirty

(signed) T. S. (L. S.)

(Signed) W. T., { or, C. F., / E. D., } Justices of the Peace.

66.—CONVICTION.

County of } AT the Petty Sessions held at , A. M., of having been duly summoned [or being present], is this day on the testimony of D. C., of [or on his own confession] convicted before us, under an Act passed in the year of WILLIAM the Fourth, and intituled, "An Act, &c." of having [specify the offence], on the day of One thousand eight hundred and Thirty [or between the day of and the day of], at in the county of and we hereby adjudge

the said A. M. for such offence to forfeit the sum of and to pay the same with costs, before the day of One thousand eight hundred and Thirty according to the same statute. Given under our hands and seals this day of One thousand eight hundred and Thirty

Justices of the Peace, { C. F. (L. S.) / E. D. (L. S.)

N.B. The forfeitures cannot exceed £
Costs - - - - £

67.—Warrant of Distress for a Forfeiture.

County of to wit. } WHEREAS A. M. of was convicted before us [or R. N. and S. R., Justices of the Peace for the county] of having [specify the offence], and therefore adjudged to forfeit pounds, and to pay the same, with costs, before the day of One thousand eight hundred and Thirty . You are therefore, under the of WILLIAM the Fourth, chapter , hereby ordered on non-payment thereof to levy such sums, with pounds additional costs, by distress and sale of the goods of the said A. M., rendering to him the overplus (if any) of such sale. Given under our hands and seals at Petty Sessions in this county, this day of One thousand eight hundred and Thirty

Justices of the Peace for the County { C. F. (L. S.) / E. D. (L. S.)

N.B. The additional costs cannot exceed Pounds.

To the Chief and other constables in the County.

68.—Warrant of Arrest for want of Distress.

County of to wit. } WHEREAS upon the return of the Warrant of Distress issued on the day of One thousand eight hundred and Thirty , against the goods of A. M. of , it was proved to us by the testimony of D. Y. of , that sufficient distress could not be so had: You are therefore, under the of WILLIAM the Fourth, chapter ; hereby ordered to arrest the said A. M. and deliver him to the Keeper of the Gaol [or House of Correction] of the county, together with the subjoined Warrant of Committal. Given under our hands and seals at Petty Sessions in the county, this day of One thousand eight hundred and Thirty .

Justices of the Peace for the County { C. F. (L. S.) / E. D. (L. S.)

To the Chief and other Constables in the County.

69.—Warrant of Committal for Non-payment of Forfeiture.

County of to wit. } To the Keeper of the Gaol [or House of Correction] of the County.

WHEREAS A. M. of was on the day of One thousand eight hundred and Thirty convicted before us [or R. N. and S. R., Justices of the Peace for the county] of having [specify the offence], and was therefore adjudged to forfeit pounds, and to pay the same, with costs, before the day of One thousand eight hundred and Thirty , which sums are still unpaid: You are therefore, under the of WILLIAM the Fourth, chapter hereby ordered to receive into the said Gaol [or House of Correction] the said A. M. and detain him for [specify the time] if the said forfeiture and costs so long remain unpaid. Given under our hands and seals at Petty Sessions in the county, this day of One thousand eight hundred and Thirty .

Justices of the Peace for the County { C. F. (L. S.) / E. D. (L. S.)

N.B. The time of imprisonment cannot exceed two calendar months.

70.—Notices

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70.—Notices of Appeal.

1.—Notice of Appeal to the Petty Sessions against the Collector's List.

NOTICE.

Barony [or District] of , County of .

I shall appeal to the Petty Sessions at , on the day of One thousand eight hundred and Thirty , on account of the list of Rate-payers which was posted on the day of at in this barony [or district] not being [or containing] [specify the subject and ground of appeal] pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty .

(signed) T. S. [add the residence].

To B. D. Collector for the Barony [or District] of .

2.—Notice of Appeal to the County Board against a Valuation.

NOTICE.

Barony [or District] of , County of .

I shall appeal to the County Board at the next meeting thereof against the valuation of the barony [or district] [or denomination] of under the of WILLIAM the Fourth, chapter , on account of the name [or denomination, or tenement] A. M. being inserted therein instead of N. R. [or being omitted therein] [or the denomination or tenement A. being overvalued in comparison with P.]

Dated this day of One thousand eight hundred and Thirty

(signed) T. S. [add the residence.]

To. M. M., Secretary of the County Board,
[or, B. D., Collector for the Barony [or District] of .]

3.—Notice of Appeal to the Quarter Sessions against a decision of Commissioners.

NOTICE.

Barony [or District] of , County of .

I shall appeal to the General Quarter Sessions for the County, to be held at in the month of , One thousand eight hundred and Thirty , against the decision made in respect of [state the subject of appeal] by the Commissioners appointed by the County Board for [state the objects of the Commission], preparatory to their award, on account of such decision [state the ground of appeal.]

Dated this day of , One thousand eight hundred and Thirty

(signed) T. S. [add the residence.]

To A. B. C., &c., Commissioners.

4.—Notice of Appeal to the Quarter Sessions against a Conviction.

NOTICE.

Barony [or District] of , County of .

I shall appeal to the General Quarter Sessions for the County, to be held at in the month of , One thousand eight hundred and Thirty , against the conviction of me by C. F. and E. D., Justices of the Peace, as having [specify the offence alleged.]

Dated this day of , One thousand eight hundred and Thirty

(signed) A. M. [add the residence.]

To J. B., Clerk of Petty Sessions.

5.—Notice of Appeal to the Board of Public Works.

NOTICE.

Barony [or District] of , County of .

I shall appeal to the Board of Public Works in Ireland against the disallowance of my account at Special Sessions [or Assizes], in respect of [state the items disallowed.]

Dated this day of , One thousand eight hundred and Thirty

(signed) T. K., Contractor [or .]

To M. M., Secretary of the County Board.

71.—Recognizance by Appellant.

Barony [or District] of , County of .

BE it Remembered, That on the day of , One thousand eight hundred and Thirty , T. S., of in this county, farmer; A. C., of in this county, shopkeeper; and S. S., of in the county of , merchant, before me severally acknowledged themselves to owe to His Majesty WILLIAM the Fourth each the sum of pounds sterling, to be levied to the use of His Majesty and his successors, subject to the following condition:—

The condition of the above recognizance is, that if the above bound T. S. shall duly prosecute and abide by the issue of his appeal against [state the particulars of appeal], then such recognizance shall be void.

(signed) T. S. (L. S.)
A. C. (L. S.)
S. S. (L. S.)

Acknowledged before me at this day of , One thousand eight hundred and Thirty

(signed) C. F., Justice of the Peace for the County.

72.—Order to the Collector to amend his List.

Barony [or District] of County of

WHEREAS it has been proved to us by the testimony of of that the name of of is improperly omitted [or the sum of pounds annexed to the name of of is erroneous] in the list of Rate-payers, posted on the day of at under the of WILLIAM the Fourth, chapter ; We therefore hereby order you in such list to insert the name of next before [or after] the name of [or to annex the sum of pounds instead of pounds, to the name of] Given under our hands and seals this day of One thousand eight hundred and Thirty- , at Petty Sessions.

Justices of the Peace for the County. C. F. (L. S.) E. D. (L. S.)

To B. D. Collector for the barony [or district] of

REMUNERATION to Public Officers, and the Securities (if any) to be given by them.

OFFICERS.	REMUNERATION.	CLASSES. I.	II.	III.	IV.	V.	VI.	VII.
		£.	£.	£.	£.	£.	£.	£.
1. Chairman of Committee	Annual Salary, but payable half-yearly	500	400	350	300	200	100	80
2. Treasurer of the County	ditto ditto	800	600	500	400	300	150	100
3. Clerk of the Peace	ditto ditto	600	400	350	325	250	100	45
4. Clerk of the Crown	ditto ditto	500	400	350	250	200	80	50
5. Secretary of the County Board	ditto ditto	400	300	250	200	150	60	50
6. County Engineer	ditto ditto	500	450	400	350	200	150	50
7. Assistant Engineer	ditto ditto	300	250	225	200	100	—	—
8. Sheriff	ditto ditto	120	100	80	70	60	25	10
9. Inspector of Prisons	Annual Salary (but payable half-yearly) not exceeding	80	70	60	50	50	30	20
10. Keeper of the County Gaol	ditto ditto	—	—	—	—	—	—	—
11. Keeper of the Penitentiary or House of Correction.	ditto ditto	—	—	—	—	—	—	—
12. Surgeon or Physician of County Gaol	ditto ditto	80	80	70	70	60	50	40
13. Surgeon or Physician of County Infirmary	ditto ditto	70	70	60	60	50	40	30
14. Chaplain of Prison - Established Church	ditto ditto	70	50	40	40	35	20	15
15. Ditto - - - - - Roman Catholic	ditto ditto	70	50	40	40	35	20	15
16. Ditto - - - - - Presbyterian	ditto ditto	70	50	40	40	35	20	15
17. Apothecaries of do. exclusive of Medicines	ditto ditto	40	40	35	30	30	25	20
18. Matrons of ditto	ditto ditto	40	35	30	25	20	15	10
19. Keeper of Bridewell	ditto ditto	—	—	—	—	—	—	—
20. Clerk to the County Engineer	ditto ditto	50	40	35	30	25	20	10
21. Court-house Keeper in County Town	ditto ditto	20	15	15	10	10	10	6
22. Judge's Crier	ditto ditto	20	15	12	10	10	5	4
23. Assistant Barrister's Crier	ditto ditto	30	20	15	12	15	10	6
24. Turnkey	ditto ditto	—	—	—	—	—	—	—
25. Interpreters, each	ditto ditto	—	—	—	—	—	—	—
A Coroner	A sum not exceeding £.5 for any one Inquest since the preceding Meeting of the County Board, nor at any one Meeting, exceeding in the whole	40	40	35	30	30	20	10
Treasurer of the County	Security	20,000	8,000	7,000	5,000	4,000	2,000	1,000
Coroners	Number of not exceeding	4	4	3	2	2	2	1

Class I. comprises Counties of which the Population exceeds 500,000 (namely)
Cork, if undivided; so far as regards Officers who act for the whole County.

Class II. comprises Counties of which the Population exceeds 300,000 and is less than 500,000, (namely)
1. Antrim,
2. Donegal,
3. Down,
4. Galway,
5. Mayo,
6. Tipperary,
7. Tyrone.

Class III. comprises Counties and Counties of Cities of which the Population exceeds 200,000 and is less than 300,000 (namely)
1. Armagh,
2. Cavan,
3. Clare,
4. Dublin, County of the City of,
5. Kerry,
6. Limerick,
7. Londonderry,
8. Roscommon.

Class IV. comprises Counties of which the Population exceeds 150,000 and is less than 200,000, (namely)
1. Dublin, County of,
2. Fermanagh,
3. Kilkenny,
4. King's County,
5. Leitrim,
6. Meath,
7. Monaghan,
8. Queen's County,
9. Sligo,
10. Waterford,
11. Wexford.

Class V. comprises Counties and Counties of Cities of which the Population is less than 150,000, (namely)
1. Carlow,
2. Cork, County of the City,
3. Kildare,
4. Longford,
5. Louth,
6. Westmeath,
7. Wicklow.

Class VI. comprises Counties of Cities and Towns of which the Population exceeds 20,000 (namely)
1. Galway,
2. Kilkenny,
3. Limerick,
4. Waterford.

Class VII. comprises—
1. Carrickfergus,
2. Drogheda.

Every Collector of a Barony (or District) is to receive a Poundage, to be determined by the County Board, but not exceeding *Nine-pence*, on the sum by him collected and paid into the County Bank or to the Treasurer, pursuant to this Act and to the Treasurer's Warrant; and also a Poundage of *One Shilling* for distress, to be paid by the party in arrear.

N.B.—Every Clerk of the Crown, Sheriff and Judge's Crier is to receive an additional half-year's Salary in case of a Special Commission in the County. Those Officers who act only for one of the Ridings of the County of Cork are to be considered as included in Class II. The Clerks of the Crown in the Towns of Youghal and Kinsale are to receive an annual Salary of £.25 each, one half to be presented by the County Board for the County of Cork at every meeting thereof. Any Officer executing the duties of his office for two Counties shall receive only two-thirds of the salary to which he would have been otherwise entitled in each County. As far as regards the Engineers and the Clerk to the County Engineer, the County of Kerry is to be considered, on account of its extent, as belonging to the 2d Class, the County of Down to the 3d Class, and the County of Armagh and County of the City of Dublin to the 4th Class.

County Boards.

(Ireland.)

A

B I L L

For the Administration of certain Civil Affairs of a Local Nature by County Boards in Ireland.

(*Prepared and brought in by Sir Richard Musgrave, Mr. Wyse and Mr. Walker.*)

Ordered, by The House of Commons, *to be Printed,* 3 *March* 1836.

(Ireland.)

A

B I L L

[AS AMENDED BY THE COMMITTEE]

For the Administration of certain Civil Affairs of a Local Nature by County Boards in *Ireland*.

[N.B.—*The Clause marked* (A.) *and* the Form, numbered 70. in Schedule (A.), *were added by the Committee.*]

Preamble.

WHEREAS the power and duty of Taxation for local purposes of a public nature in *Ireland* would, if vested in well constituted local Bodies therein, tend greatly to its improvement and to the relief of the Grand Juries appointed for furtherance of its criminal Justice; **Be it therefore Enacted**, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Sipirtual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT every *Irish* County shall have power at discretion to tax property therein, as hereinafter directed, for local public purposes; and the power and duty of Taxation for such purposes shall, without interfering with existing local Authorities for lighting, watching, cleansing or paving, or for widening streets or supplying water, be exclusively vested in a COUNTY BOARD, when constituted under this Act: To which end **BE it further Enacted** as follows:—

1. Counties empowered to act. Certain existing authorities protected.

2. Collectors of County Rates to prepare Lists of Rate-payers

Every Collector of County Rates shall, within the last Seven Days of the month of April in every year, prepare a List of the sums respectively charged on and paid by every Person, not less in total payment than Two Pounds each, for property within his collection, under presentments fiated at the two Assizes next preceding the date of such List, together with the name and residence of every such Person; and

and shall give priority to the names according to the greater total sums so paid; and in every case of equality of sums according to the alphabetical order of surnames; and within Twenty-one Days after the date of such List shall cause copies thereof to be distributed among the Rate-payers, and posted as a notice in such Collection.

3. Meeting of Rate-payers.

At Eleven o'clock in the forenoon of the last Monday in the Month of May in every Year, a Meeting shall be held within such Collection, at a place to be appointed by Thirty Days' previous notice from the High Sheriff, and in default thereof then by Ten Days' previous notice from the Lieutenant of the county; and shall consist of such of the following Persons as are chargeable with County Rates for property therein, (namely) every person who is one of the males, named on such List and not under incapacity, or who is for the time qualified to vote at the Election of a Member of Parliament by the registry of property within the Collection, to the amount of at least Twenty Pounds yearly.

Their Qualifications.

4. Twelve Rate-payers may act. Chairman. Voting.

Twelve such Rate-payers shall suffice to constitute a Meeting; and one of them, chosen by and out of those present, shall be Chairman for the day; and every such Rate-payer present shall have one vote, and the Chairman shall have a casting vote besides; and all questions shall be decided by a majority of votes; but if Twelve such Rate-payers are not present before noon on the day appointed, the Meeting shall stand adjourned, once only, to the next day at Eleven o'clock in the forenoon; and the Collector of County Rates shall attend such Meeting; and he, or in his absence a Rate-payer present and appointed by the Chairman, shall act as Secretary of the Meeting; and no Person shall address the Meeting or delay the taking of the votes.

Adjournment.

Collector to be Secretary.

5. Duties of Chairman. Taking the votes.

The Chairman shall call, first, the names contained in the List, in the order in which they are set down therein, and then the names of the other Members of the Meeting present, and afterwards call twice, in like order, the names contained in such List of the Members who shall not have previously appeared; and every Member, on his name being called, may deliver to the Chairman a paper signed by himself, and containing the names of not more than Ten males to be Members of the County Board; and such names, as they are delivered, shall be read aloud by the Chairman, and entered by the Secretary in a book to be kept for the purpose; and at Five o'clock in the afternoon, or as much sooner as all such papers shall have been delivered, the Secretary shall proceed to sum up the votes, and the Chairman, having examined the book, and so far as majority of votes can be made a guide being directed thereby, and otherwise by his discretion, shall declare the names of the Persons elected, not exceeding Ten; and shall, within Two Days after such Meeting, transmit Lists of such Persons, with the number of votes given for each, signed by himself and the Secretary, to the High Sheriff

Lists of Persons elected.

Sheriff of the county, and to the Secretary of the County Board, if any, and if none, then to the Secretary of the Grand Jury.

6. Sheriff to form a Roll of Members of the County Board.

The High Sheriff shall form a Roll of Members of the County Board, equal in number to that which in Schedule (.) is annexed to the county, among whom there shall not be at any time any Person being in Holy Orders, or a Teacher or Preacher in a religious congregation, or entitled to remuneration under Schedule (B.), or an Engineer or Architect employed within the county by the County Board or Board of Public Works, or a Military Officer in active service, or a Stipendiary Magistrate, or an uncertificated Bankrupt, nor any Person unwilling to serve on the County Board, and being either exempt from serving on Juries, or having acted as a Member of the County Board at Two Meetings thereof within the Three preceding years; and for that purpose shall take from every one of such Lists, containing not less than Ten names, the number of Persons which in the same Schedule is annexed to the district; and shall supply any deficiency in such numbers in the first place out of the other Persons qualified and liable to serve on the County Board, and named in any of such Lists, and in the next place out of any other persons so qualified and liable; and shall in all such cases where majority of votes can be made a guide, be directed thereby; and shall within Thirty-one Days after the time for the final receipt of all such Lists, cause such Roll to be published thrice at least in the county newspaper, (and if none, then in a newspaper usually circulated within the county) and to be posted as a notice in every district therein, and shall from time to time supply any deficiency in such numbers in like manner; and shall summon the Members of the County Board to meet in the County Court House, where the then ensuing Assizes shall be held, on some day not less than Two nor more than Six Days before every Commission-day of Assizes for the county; and such Members shall meet accordingly at Ten o'clock in the forenoon, at which time and place the High Sheriff shall be in attendance.

Disqualifications.

Exemptions.

Sheriff to summon the County Board.

To meet before the Assizes.

7. County Board.

Half the Number of Members shall, when assembled under this Act, suffice to constitute a County Board, of which the Lieutenant of the County shall also be a Member; and every Member thereof, before acting as such, shall at every such Meeting, and in open court, deliver a Certificate of his Qualification to the High Sheriff or his deputy; and when a County Board shall have been constituted, the Lieutenant of the County, and in his absence a Member chosen by and out of the Members present, shall be the Chairman of the Meeting; and every Member present shall have one vote, and the Chairman shall have a casting vote besides; and all questions thereat shall be decided by a majority of Votes; and such Meeting when constituted shall, during its continuance, stand adjourned to the next

Qualification.

Chairman.

Voting.

Adjournment.

day at Ten o'clock in the forenoon (Sunday excepted) whenever Twelve Members are not present after noon, and shall terminate on the opening of the Commission of Assize for the county; and the County Board shall continue in office until the ensuing County Board shall have been constituted.

Continuance.

8. County Bank and Newspaper.

The County Board shall from time to time appoint, and at discretion change, the Bank and Newspaper, herein respectively called the County Bank and County Newspaper.

9. County Officers appointed.

The County Board shall on every vacancy, or as much sooner as they shall deem proper, appoint the following Officers, (namely) a Secretary of the Board, the Treasurer of the County, a Collector for every District therein, the Court-house Keeper, the Interpreters, the local Inspector of the Prisons in the county, and the Chaplains, Medical Attendants and Matrons, with any number of female assistants for the same respectively; and shall examine and accept securities from every Treasurer and Collector so appointed for the due execution of his office; and until such appointment the Secretary of the Grand Jury, Treasurer of the County and Collectors of County Rates, shall be respectively the Secretary of the County Board, Treasurer of the County and Collectors of County Rates under this Act; and every officer shall continue in office until superseded, and may proceed with any business left undone by his predecessor.

10. Committee.

The County Board shall appoint not less than Nine, nor more than Fifteen, of their Members to be a Committee until superseded, for supplying temporary vacancies in appointments under the power of the County Board, and for superintending all works and Establishments within the county, for the execution or maintenance whereof presentments shall have been made; but need not, where such Committee exists at the time, alter the Members or number thereof, except so far as the County Board may think proper, and except that no Committee man shall continue in office longer than Two Years, since his last election, without being re-elected; and the County Board shall severally assign to Two Sub-committees, each consisting of Three or more Members of such Committee, the distinct superintendence of one of the subjects thereof, (namely) First, the maintenance and execution of public works; Secondly, the conducting of County Establishments; and a person from time to time appointed for the purpose by His Majesty, during pleasure, shall be a Member of such Committee, and every Sub-committee thereof.

Sub-Committees.

11. Division of County into Districts.

The County Board from time to time shall divide the county into Districts, each consisting of, and being designated from any of the baronies or parishes therein; and may divide any barony containing

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containing more than Fifty thousand acres, or Five thousand Houses, into two distinct parts for the purposes of this Act; and may for the purpose of separate assessment subdivide any denomination of property for the time liable to be separately assessed; and shall fix the place in every such district, and also the times previously to the next Meeting of the County Board, for holding Special Sessions for such district, and shall also fix a place for posting notices therein, and within every parish therein, and the times and places for the Meeting of the Committee of Superintendence, and any of the Sub-committees thereof, and the extraordinary times (if any) during which the Treasurer of the county shall keep open an office for transacting business relative to his duties.

Special Sessions. Notices. Meetings of Committee and Sub-Committees. Treasurer's Office.

12.

Any Property may be appropriated by will, or otherwise, for the benefit of any county in *Ireland*, according to the extent of the interest or dominion therein of the Party appropriating the same; and such Property, and all hereditaments and materials which may be taken, and all implements and other articles which may be purchased for the use of the county, shall vest in the Committee of Superintendence for the time being in a public capacity; and such Committee may compromise, prosecute, sue and be sued in the name of the Secretary of the County Board for the time being, without any prejudice to such compromise, prosecution, or suit from the mere act or default, or the state of the office of the Secretary of the County Board.

Property for the use of the County to vest in the Committee, which may sue, &c. in the name of the Secretary.

13.

The Board of Public Works in *Ireland* from time to time shall direct Three Engineers to meet in *Dublin*, and to examine every Person desirous of serving as a County Engineer or Assistant Engineer under this Act; and may appoint during pleasure any Person to be Engineer or Assistant Engineer for any County in *Ireland*, who, after examination by such Three Engineers, shall have obtained a certificate, signed by them, of being duly qualified for the situation; and every County Engineer so appointed shall keep open an Office for transacting business relative to his duties in such place as the County Board may appoint; and shall employ a competent Person to be his Clerk, who shall regularly attend in such office, and for whom he shall be responsible; and shall, pursuant to every order for the purpose by such Board of Public Works, transmit thereto a Report of the state of Public Works in the county; and the Assistant Engineer shall, with the consent of the Committee of Superintendence, discharge any of the duties of the County Engineer; and every Person authorized in writing by Two Members of the Committee of Superintendence, or Justices of the Peace for the county, may make Surveys therein for any of the purposes of this Act.

Appointment of the County Engineer or Assistant Engineer; His powers and duties. Office. Clerk. Surveys.

14.

Every Application to obtain a Presentment for executing any new public Work within the county, the estimate for which exceeds Three

Applications for certain Presentments

to be transmitted to the Board of Public Works.

hundred Pounds, or for improving or repairing any public work therein, the estimate for which exceeds Four hundred Pounds, or for altering or annulling a former Presentment for the like purpose, shall, together with all documents requisite for giving full information relative to such application be, previously to the transmission thereof to the Secretary of the County Board, transmitted to the Board of Public Works in *Ireland*, which is hereby required at the expense of the same Board to decide on the total or partial allowance or disallowance thereof, and within Two calendar Months after receipt thereof, to cause such decision and the reasons for every disallowance (if any) to be notified to the County Engineer and to the Party making the application, and the same shall, in default of such notification, be deemed to have been allowed.

15. Applications for Presentments to be transmitted to the Secretary of County Board; and Duplicates lodged with the County Engineer.

Every Application to obtain a Presentment for a Lease of Tolls or Rates to be taken for the use of any public work vested in the Committee of Superintendence, or for Damages on account of malicious injury of property within the county, or for executing, improving or repairing any public work therein, or for altering or annulling a former Presentment for the like purpose, and having the allowance of the Board of Public Works where the same is required, or to contract (otherwise than by Tender) or account for the total or partial execution of such Presentment, or, where the amount of the contract shall exceed Fifty Pounds, to obtain an advance of money on account thereof, shall, together with all documents requisite for giving full information relative to such application, be subscribed by the party making the same, and be transmitted to the Secretary of the County Board Thirty Days at least before the day fixed for holding the first Special Sessions after a Meeting of the County Board, or (in case of such malicious injury) after Thirty-five Days from the occurrence thereof; and a Duplicate of every such Document relative to the execution, improvement or repair of a public work shall at the same time be lodged with or in the Office of the County Engineer; and notice of every such Application shall be either posted on the Saturday next but one before the day so fixed, or published in the County Newspaper between Ten and Twenty Days before such day.

Notices.

16. The Secretary of County Board to arrange applications and make Abstracts and Schedule thereof.

The Secretary of the County Board shall, on the last day for receiving such Applications, and during the Ten previous days, keep open an Office for the receipt thereof, and shall immediately after such last day arrange and number such Applications, according to the districts whereto, from site or otherwise, they shall specially relate, and the order wherein they shall have been received respectively; and make one Abstract of such Applications for Presentments, and another of such Applications for Contracts for executing works, and a distinct Schedule of such Applications to account or obtain an advance, with the number annexed to each, which is in the Book of Presentments affixed to the work to which the account or advance relates; and shall cause printed Copies of such Abstracts and Schedule to be distributed previously to the

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the first ensuing Special Sessions among the Members and persons qualified to be Members thereof, and of the County Board respectively.

17. Special Sessions. Meetings.

The Special Sessions shall consist of every person, who being qualified to act as Member of the County Board, and having delivered to the Secretary thereof a Certificate of Qualification, either shall have been elected to be Member of the County Board at the next previous Meeting of Rate-payers within the District, or shall be Justice of the Peace, and so qualified in respect of property therein; and the Members of the Committee of Superintendence shall also be Members of the Special Sessions; and such Special Sessions shall meet at the times and places fixed by the County Board, and also at Eleven o'clock in the forenoon, whenever summoned by notice from Five Members of the Committee of Superintendence, specifying the place and objects of the Meeting, and published thrice in the county newspaper, and posted Twenty Days, at the latest, before the time of Meeting stated in such notice; and shall stand adjourned once only to the next day at Eleven o'clock in the forenoon (Sunday excepted), whenever a sufficient number thereof is not present after noon, or any business is left unfinished at Six o'clock of the same day.

Adjournments.

18. Quorum. Chairman. Voting. Secretary. Applications laid before them.

Three Members of the Special Sessions shall suffice to constitute a Special Sessions; and a Member thereof chosen by and out of the Members present shall be Chairman for the day; and every Member present shall have One vote; and the Chairman shall have a casting vote besides; and all questions thereat shall be decided by a majority of votes; and the Secretary of the County Board shall be Secretary of the Special Sessions, and shall, together with the County Engineer, attend the same, and shall lay all Applications, which shall have been transmitted to him since the previous Meeting of the County Board, and the Abstracts and Schedule thereof respectively, before the Special Sessions for the Districts to which such Applications respectively relate; and the County Engineer shall thereat make a Report on every such Application.

19. Proceedings at the Special Sessions.

The Special Sessions at their Meeting for the District to which any Applications relate, having ascertained that the Notices thereof have been duly posted or published, and having examined such Applications and the Accounts to which any of them relate, in the order wherein they are numbered by the Secretary of the County Board, shall report on the total or partial allowance or disallowance thereof, (applications to obtain advances excepted), and whether the expense of executing the work so allowed, for which special directions are not given by this Act, should be defrayed wholly or partly by the county at large, or specified districts

districts or subdivisions thereof respectively, and cause the particulars of every such report, and the reasons for every disallowance (if any) to be signed by the Chairman and another Member present, and entered on the Abstract or Schedule opposite to the Application to which the same respectively relates; and shall, in like order, examine and decide on contracts for executing presentments, and ascertain the sufficiency of, and accept the security for due performance of every such Contract; and shall report on the tolls or rates to be taken for the use of any public work, which may be either vested in the Committee of Superintendence or executed on behalf of the Contractor, and in consideration of such tolls or rates; and shall decide on the total or partial allowance or disallowance of every such Application to obtain an advance of money to a Contractor in manner hereinafter mentioned; and shall examine the County Engineer and such other Persons as the Special Sessions may think necessary, relative to any such Applications; and shall cause all the proceedings of the Special Sessions, and all documents relating to the same, to be signed by the Chairman and another Member thereof, and to be forwarded to the County Board by the Secretary thereof; and all the Proceedings of the Special Sessions shall be in open Court.

20. Proceedings to be printed and distributed.

Printed Copies of every such Abstract and Schedule, with the additions made thereto respectively by the Special Sessions, and with the names of the Members thereof present thereat respectively, and with a statement of the total respective sums proposed by the Special Sessions to be raised on the county, and exclusively on every part thereof shall, by the Secretary, Ten Days at least previously to the next Meeting of the County Board, be distributed among the Members and Persons qualified to be Members thereof, and of the Special Sessions respectively, and be deposited in the office of the County Engineer for public examination.

21. Meetings of the Committee and Sub-Committees.

The Committee of Superintendence, and every Sub-Committee thereof, shall meet at the times and places respectively fixed for the purpose by the County Board, and also at Eleven o'clock in the forenoon at any of such places or of the places appointed for holding Special Sessions, whenever summoned respectively by notice from Five Members of the Committee and Three Members of the Sub-Committee respectively, delivered to every other Member thereof respectively, and inserted in the county newspaper Seven Days at least before the time of meeting stated in such notice, which must also state the place and object of meeting.

22. Quorum.

Three Members of the Committee of Superintendence and of every Sub-Committee thereof, or, in case of a Sub-Committee, if there be

be not more than Three Members thereof, and only Two of them attend, then those Two and any other member of the Committee of Superintendence, shall suffice to constitute such Committee and Sub-Committee respectively; and at every Meeting thereof respectively the Member appointed by the County Board, or in his absence a Member chosen by and out of the Members present, shall be Chairman; and every Member thereof respectively present shall have one vote; and all questions therein respectively shall be decided by a majority of votes, and the Secretary of the County Board shall attend all such meetings.

Chairman.

Voting.

23. Immediate Repairs.

Whenever the County Engineer, upon his inspecting any of the Public Works, which are maintained by presentment, certifies in writing that the Repair thereof cannot, without prejudice to the county be delayed until the then next Meeting of the County Board, the Sub-Committee for superintending the execution of Public Works may order such repair to be immediately executed under his direction; but the total sum so expended on all such repairs between two meetings of the County Board shall not exceed Three hundred Pounds.

24. Reports of Committee and Sub-Committees.

The Committee of Superintendence and every Sub-Committee thereof, shall transmit to every half-yearly meeting of the County Board, through the Secretary thereof, a full Report, signed by at least Two Members of such Committee and Sub-Committee respectively, of all matters connected with the subject of their superintendence since the previous half-yearly Meeting of the County Board; and such Committee shall, at least once in every year, transmit in like manner to the County Board a full and particular account, so signed, of all property vested in such Committee, and of the value thereof respectively.

25. Proceedings of the County Board.

The County Board shall, at every Meeting thereof, examine the Reports transmitted thereto by the Committee and Sub-Committees of Superintendence, and the proceedings and documents forwarded thereto by the Special Sessions, and shall examine the County Engineer, and such other Persons as the County Board may think necessary, relative to such reports, proceedings and documents; and afterwards shall decide on the total or partial allowance or disallowance of all accounts and applications for presentments so forwarded, and also of the several accounts of the Treasurer of the county and all the Collectors of County Rates therein; and whether the expenses of satisfying damages, or executing works so allowed, for which special directions are not given by this Act, shall be defrayed wholly or partly by the county at large, or the specified districts or sub-divisions thereof respectively; and whether the money to be raised under any presentment for executing a public work shall be levied at once or by half-yearly instalments which, without the allowance of the Board of Public Works in *Ireland*, must not exceed Six; and shall, with the like allowance,

decide on the shares (if any) which may be created, and the tolls or rates which may be taken for the use of every public work, either vested in the Committee of Superintendence or to be executed on behalf of the Contractor, and in consideration of such tolls or rates; but shall not allow any such last-mentioned work without being satisfied that the expense of executing the same will exceed the sum of Three hundred Pounds, nor allow more than half the sum required for making, repairing or improving a bridge partly in, or a road bounding, the county and an adjoining county; and shall decide on the propriety and mode of selling any hereditaments vested in the Committee of Superintendence, and not required for the purposes of this Act; and may allow money for reimbursing the reasonable expenses of the Members of the Committee of Superintendence in the execution of their respective duties, and also for making compensation for loss or diminution in the value of every ferry occasioned by erecting within the limits thereof any bridge under this Act; and shall cause the money allowed for such compensation to be paid, or secured to the satisfaction of the party entitled thereto, and (if necessary) on the tolls (if any) to be taken for the use of such bridge; and shall, from time to time, with the approval of the Board of Public Works in *Ireland*, appoint and change Commissioners for effecting any work presented and to be executed under this Act, for the completion whereof such appointment may be necessary, and fix the remuneration of such Commissioners, which shall be paid as part of the expenses of their commission; and make rules for the guidance of such Commissioners and empower them to impose and to determine the mode of levying rates accordingly for defraying the expenses of executing and maintaining such work; and shall also give directions as to the numbers, distribution and prices when sold, of the copies ordered under this Act to be printed, and shall have all the business to be transacted at every meeting completed before the opening of the Commission for the ensuing Assizes.

26. Presentments.

The County Board shall make Presentments in accordance with the business so completed, and also Presentments for the following levies, (namely) of all money which shall not have been levied or applied according to Presentments then in force, or shall be required to make compensation, ascertained as hereinafter is mentioned, for hereditaments taken under such Presentments, or to satisfy the damages recovered against the Committee of Superintendence, or the share of damages apportioned to be levied on the county, or a district thereof, by a Judge of Assize, or to pay the costs of prosecution or suit to which the Secretary of the County Board, on behalf of such Committee, shall be liable, or to pay the money duly expended upon immediate repairs under the direction of the County Engineer, or the money for the time payable to the Board of Public Works, or towards discharge of every loan sanctioned thereby, or to defray the reasonable expenses of the Committee of

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of Superintendence, the expenses of stationery, of procuring copies of the Statutes, and of printing and advertisement in relation either to the County Board or Grand Jury, or to the qualification of Persons entitled to vote at the election of Members of Parliament, and the expenses of prisons, court-houses, justice-rooms, places of public instruction, county infirmaries, hospitals, dispensaries, boards and officers of health, asylums, houses of industry, workhouses, market-houses and places, prosecutors, witnesses, the removal of prisoners, disbursements under any Statute, and the remuneration of public officers (except so far as the same shall, with the sanction of a Judge of Assize, be diminished or refused by the County Board for insufficient discharge of duty) and the share of the expenses of Police, Militia and national valuation which may fall on the county, or any district or subdivision therein; such expenses, subject to the respective limitations thereof in Schedule (B.) being ascertained as follows, (namely) of prisons, court-houses, justice rooms, places of public instruction, county infirmaries, hospitals, dispensaries, boards and officers of health, asylums, houses of industry, workhouses and market-houses and places, by the Reports of the Sub-Committees of Superintendence; of rewards, prosecutors and witnesses, by the order of the Judge of Assize and Chairman of the Quarter Sessions respectively; of the removal of prisoners by the Certificate of the High Sheriff; and the share of expenses of Police, Militia and national valuation by the Certificate of the Chief Secretary of the Chief Governor of *Ireland*; and such share of damages being ascertained by the Certificate of the Judge of Assize making the apportionment; but all money which shall not have been levied or applied according to Presentments then in force, shall be levied where the same ought under the original Presentments respectively to have been levied; and all money to be raised towards defraying the expenses of Police, Militia and national valuation, shall be levied locally according to the Certificate of such Chief Secretary; and all money to be levied for defraying the reasonable expenses of the Members of the Committee of Superintendence, and the expenses of stationery, the Statutes, printing, advertisement, prisons, court-houses, Justice-rooms, county infirmaries, hospitals, dispensaries, boards of health, asylums, houses of industry, work-houses, bridges the estimate for which, approved of by the County Engineer, shall exceed Fifty Pounds, roads whereon the Mail is conveyed in carriages, rewards, prosecutors, witnesses removal of prisoners and remuneration of public officers, except Collectors, shall be levied on the County.

Charges ascertained

Presentments on the County at large.

27.

The County Board shall cause the surplus of money raised under any Presentment, which shall not have been required for the purposes thereof, to be carried by the County Treasurer to the credit of the county, district or subdivision whereon the same shall have been raised;

Surplus of money to be credited to the county or district charged.

Loans from the Board of Public Works.

and may borrow from or with the sanction of the Board of Public Works in *Ireland* money for the execution of any public work for which a Presentment shall have been fiated; and shall cause the money so borrowed to be repaid by such instalments, and at such rate of lawful interest, and on every private loan within Six Years after the same, as shall be agreed on with such Board, and be specified in such Presentment accordingly; and shall transmit to such Board a copy, certified by the Clerk of the Crown, of such Presentment, when fiated.

28. Rules to be made.

The County Board may, when not restricted by any Statute for the time being in force, make, alter or rescind Rules for conducting the business of the Special Sessions and County Board, and of Establishments superintended by the Committee of Superintendence with the allowance of the Court of King's Bench in *Ireland;* and all the proceedings of the County Board and Special Sessions shall be in open Court.

29. Penalty inflicted by the County Board and Special Sessions.

The County Board and Special Sessions may severally punish, by fine or imprisonment, specified by warrant under the hand and seal of the Chairman thereof, every person obstructing the proceedings of the same respectively when assembled; but such fine shall not exceed the sum of Five Pounds, nor the term of such imprisonment Ten Days for any one offence.

30. Presentments and Accounts to be fiated.

Every Presentment and Account, together with all Reports, Proceedings and Documents relative thereto, shall be laid before a Judge of Assize at the Assizes ensuing the meeting of the County Board at which such Presentment or Account shall have been allowed, and after examination by such Judge may be fiated by him; and every Judge of Assize shall, by his order, which shall be deemed a fiated Presentment, determine every amount for which a Presentment is by law directed to be, and has not been made by the County Board, and the district (if any) whereon the same is to be levied; and may empower the County Board, on sufficient cause shown thereby, to transact any business thereof during the current Assizes; and may apportion any share, not exceeding One-half, of the damages on account of malicious injury, for which a Presentment shall have been so fiated, to be levied on any of the adjoining counties or districts, within two miles whereof the cause of such damages shall have arisen; and a Certificate, signed by such Judge and containing the particulars of such apportionment, shall be thereupon transmitted by the Clerk of the Crown for such Assize to the Secretary of the County Board, acting in every such adjoining county or district; and all proceedings under this Act by or before a Judge of Assize shall be in open Court.

Judge may order unpresented sums to be raised, and may apportion the shares of damages.

Proceedings before a Judge to be in open Court.

Every

31. Clerk of the Crown to enter Presentments and Accounts.

Every Presentment and Account, fiated or traversed, shall be delivered to the Clerk of the Crown, and be entered by him in a book to be kept by him for that purpose, with the same number annexed as is affixed to the application for the same in the Abstract or Schedule thereof; and a copy, certified by him of such Presentment, shall be Evidence thereof; and the Clerk of the Crown shall transmit a copy of every such entry of an Account, together with a written summary of the then state of such Account, to the Treasurer of the county within Six Days after every Assizes; and copies of every such entry of a Presentment, together with a written summary of the then state of the proceedings under every such Presentment then in force, and for the execution whereof a final Account has not been fiated, to the Treasurer of the county and Secretary of the County Board respectively within Ten Days after every Assizes; and such Secretary shall, within Fourteen Days after receipt thereof, cause printed copies of the matters so transmitted to him, together with a statement of the total respective sums to be raised on the County, and exclusively on every part thereof, to be transmitted to the Board of Public Works in *Ireland*, and to the Chief Secretary of the Chief Governor of *Ireland* for the purpose of being laid before Parliament, and to be distributed among the Members and Persons qualified to be Members of the Special Sessions and County Board respectively, and to be deposited in the office of the County Engineer for public examination.

Evidence of Presentments.

Copies sent by him to the County Treasurer and Secretary of the County Board.

Secretary to distribute printedCopies.

32. Presentment not acted on for Two Year to be void.

Every Presentment for the execution of a work wherein (if incomplete) progress shall not have been duly made for Two successive years shall, when not suspended according to law, be thenceforth void.

33. Security by the County Treasurer, by Collectors and Contractors.

The Security to be taken from every Treasurer of the County appointed after the passing of this Act, and from every Collector of County Rates therein, and from every Contractor for the execution of a Presentment therein, shall be a Recognizance to be given to His Majesty and His successors by such Treasurer, Collector and Contractor, and Two sufficient Sureties approved by the County Board or Special Sessions, as the case may require, in an amount approved in like manner, and not less in case of Treasurer than the amount specified in Schedule (B.) to this Act, nor in case of Contractor than One-third of the amount specified in the contract, at a Meeting of the County Board, or, in case of Collector or Contractor, at the Special Sessions for the District wherein he may act; and the Chairman of the County Board, or of such Special Sessions, as the case may require, is hereby empowered to take such recognizance; and such recognizance from every Treasurer and his Sureties shall be recorded in the Court of Exchequer in *Ireland*, and from every Collector or Contractor, and his Sureties shall be deposited with, and kept by, the Secretary

of the County Board; and no Treasurer appointed after the passing this Act, nor any Collector or Contractor, shall act as such until a certificate of the recognizance to be given by him and his sureties, having been so recorded or deposited shall have been obtained by him from the officer recording or keeping the same; and every such recognizance shall, for every default, be enforced by the Committee of Superintendence, unless otherwise directed by a Judge of Assize, and shall be cancelled and delivered to any of the parties bound thereby, when the condition thereof shall have been fulfilled; and a certificate of such fulfilment from a Judge of Assize for the county, in case such recognizance has been given by the Treasurer thereof, and from the Committee of Superintendence in every other case, shall have been delivered to the proper officer of such Court of Exchequer, or Secretary of the County Board, as the case may require; but Bank of *England* or *Ireland* Stock, or Government Securities, at the time equal in value to the required amount, and transferred or delivered to the Accountant General of the Court of Exchequer in *Ireland*, *ex parte* the Committee of Superintendence of the County, may at the discretion of the County Board or Special Sessions, as the case may require, be accepted in lieu of the concurrence of sureties in such recognizance, and shall be re-transferred or re-delivered on the cancelling of such recognizance, and until such cancelling the whole or any part of such stock or securities, and of the annual produce thereof, may by order of such Court made in a summary way, on motion, be from time to time disposed of for making good any breach in the condition of such recognizance; and subject to such disposal, such annual produce shall be applied as if such stock or securities had not been so transferred or delivered.

34. County Treasurer to apportion the sums presented, and issue Warrants to Collectors, stating the Poundage.

The Treasurer of the County shall, without delay, from the copies and statements transmitted to the Treasurer of the county for the time being since the preceding Assizes by the Clerk of the Crown, ascertain the sum to be raised on every district and subdivision of the county exclusively, and also the sum to be raised thereon as its proportion of the sum to be raised on the county; and shall certify every such sum by a Warrant issued to every Collector of County Rates by whom the same is to be levied; and whenever the case will admit, shall state in such certificate the distinct Poundage, not containing any fraction of One Penny, according to which every such sum is to be levied.

35. Collector shall give notice of sums to be collected, and receive the same, and recover arrears by action or distress; may

Every Collector of County Rates shall, without delay, after receipt of every such Warrant, specify the sum, thereby certified to be charged on every denomination within his collection, in a notice which shall be served on some occupiers within such denomination, and also duly posted; and shall by such notice appoint the times, not less than One calendar Month from such posting, and also the places in each denomination

denomination within his collection, for receiving the sums so charged; and he shall accordingly receive the same, or so much thereof respectively as shall be paid pursuant to individual assessments for the time in force under this Act; and may recover the whole sum which after the last of such times shall not have been so received out of such denomination, together with One Shilling for every Pound thereof, either in an action against any of the Parties who shall not have duly paid their rates in respect of tenements within the same denomination, or by distress and sale of the goods of any of the Parties for the time occupying such tenements, and in case of no such sufficient distress, then like a forfeiture under this Act left unpaid for Seven Days; and may from time to time, by writing under his hand and seal, appoint and change Deputies for whom he shall be responsible for better executing his duties; and such Collector shall remit to the County Bank, and if none, then to the Treasurer of the county, Two Days at least previously to the next meeting of the County Board, the several sums so charged and collected, (such poundage of One Shilling excepted) to be placed to the credit of the county; and such Collector shall, on the first day of every half yearly meeting of the County Board, produce a full account, signed by himself, of all his receipts and payments as such Collector since his entrance on office, or the previous account produced by him, as the case may be, together (as far as can be ascertained) with the name of and sum left unpaid by every Rate-payer who shall be in arrear, and the causes of such arrears respectively; and shall verify the same by affidavit before the Chairman of the County Board.

appoint Deputies, and shall remit the sums collected to the County Bank, and produce to the County Board account of receipts and payments, and a List of Defaulters.

36.
Duties of the County Treasurer.

The Treasurer of the County shall, within Six calendar Months after the appointment of the County Bank, pay into the same, to the credit of the county, all money belonging thereto then in his hands, and shall, during every meeting of the County Board and every Assizes for the county, and Six Days at least after the last day thereof, and also during Three successive Days at any periods to be appointed by the County Board, keep in the town where such meeting shall be held an Office, open from Ten o'clock in the morning till Three o'clock in the afternoon, for transacting business relative to his duties; and while such office is open shall, upon demand, pay in full, out of the money in his hands until the end of such Six calendar Months, and afterwards by his checks upon the County Bank, countersigned by members of the Committee of Superintendence, every sum payable on behalf of the county, or any part thereof, under any Statute, and to the discharge whereof any money in such Bank or in his hands shall be applicable; and for such sum shall take a receipt, specifying the Scheduled number (if any) and Assize date of the Presentment under which the same shall be paid; and shall also remit to the Bank of *Ireland*, to the credit of the Board of Public Works, the sums levied for or towards repayment of loans from or money expended by such Board, and make every such remittance through the County

Bank (if any); and shall, on the first day of every half-yearly meeting of the County Board, produce a full account, signed by himself, of all receipts and payments on behalf of the county or any part thereof, and the balance of the same, which are not contained in a previous account produced by the County Treasurer, and a certificate from the County Bank (if any) of the several balances therein to the credit of the county at the commencement and conclusion respectively of such Account, together with proper vouchers for the particulars thereof; and shall in such Account show, under distinct heads, the receipts and payments on benalf of the county and the several districts and subdivisions tnereof respectively; and shall verify such Account by affidavit before the Chairman of the County Board; and a printed copy thereof, so far as the same shall have been fiated by a Judge of Assize, shall be prefixed to and distributed with the Schedules of Presentments by the Secretary of the County Board.

37. Accounting for existing Contracts.

Every Contract which, previousiy to the first meeting of the County Board, shall have been entered into under a Presentment, may be accounted for under either this Act or tne Acts in force when such Presentment was fiated; and nothing in this Act contained shall further alter any powers, duties or liabilities in respect of the completion of and accounting for such contract.

38. All works to be executed by Contract.

Every Work for which a Presentment shall have been fiated under this Act shall be executed by Contract under the direction of the County Engineer; or if the Special Sessions for the district to which such Presentment relates shall not approve of any contract for executing such work and of the security offered by the Contractor, or if such work is to be effected by Commissioners appointed by the County Board, then either under the direction of the Board of Public Works in *Ireland* or by the County Engineer, as shall be determined by the County Board; but no part of the making, repair or improvement of a bridge partly in or road bounding the county and an adjoining county, shall be done until after the depositing with the Secretary of the County Board of a certificate from the Clerk of the Crown for such adjoining county, that a Presentment therein for half the sum required for such bridge or road has been fiated for the same purpose; and the County Engineer shall, without delay, after the presentment for any work within the county shall have been fiated, make the duplicate lodged with him of every plan, map, specification and estimate relating to such Presentment conformable thereto, and whenever the case may require it, prepare a Form of Tender for executing such work, expressing the nature and extent thereof, the materials to be used therein, and the term within which the same shall be completed, and such other particulars as the County Board may have directed; and shall leave every such Duplicate and Form in his office open for public examination; and every Tender for

The County Engineer to correct Duplicates and prepare Forms of Tender.

Tender.

the

the execution of such work shall be made in such form and be subscribed with the name, description and residence of the Party making the Tender, in his own hand-writing, and be transmitted under a sealed cover, indorsed with the name of such work, and the number affixed thereto in the printed abstract of Presentments to the Secretary of the County Board, within Six Days before the first meeting of the Special Sessions after the Assizes at which such Presentment shall have been fiated, and shall be numbered by such Secretary in the order wherein they shall have been received by him in relation to the same work; and every such Contract shall contain a provision for settling disputes between the contracting Parties by the Award of the majority of Three uninterested referees, made within Two calendar Months after the reference to them, one chosen by each Party, and the third by the two first chosen; and the referee omitted to be chosen by either party within Six Days after the choice by the other party shall have been notified to the omitting party, shall be chosen by two Justices of the Peace for the county.

Contract.

39. Advances of money on the Certificate of the County Engineer.

The Money by this Act authorized to be advanced on account of any such work during the execution thereof, may be paid upon the order of the Special Sessions allowing the same, after production thereat of a Certificate from the County Engineer that a sum exceeding the amount to be advanced by at least One-tenth thereof, or the sum of Five hundred Pounds, has been fully and fairly expended on the execution of such work since the commencement thereof, or the last advance or account thereof, as the case may be; and when a Certificate has at the County Board been produced from the County Engineer that the whole of such work has been completed, and the account of the completion thereof has been presented and fiated, the whole of the money remaining due on such Contract shall be paid; and the money by this Act authorized to be expended on the immediate execution of repairs, shall be paid upon the order of the Sub-Committee for superintending the execution of Public Works.

40. Cuts to be fenced and passages secured.

Every Cut made in the execution of any work under this Act for Three Feet at least below the surface shall, by the Party executing such work, be kept fenced sufficiently for preventing any damage in consequence thereof until the same be filled up or otherwise rendered safe; and shall, wherever covered with water intersecting hereditaments occupied by the same party under the same title, be crossed by a bridge, to be made and kept in repair by the party executing such work, and for securing a free passage for carriages between the hereditaments so intersected except where there may be other convenient means of passage between the same; and no way, drain or watercourse shall be stopped or diverted in the execution of any work under this Act, until another equally serviceable has been substituted, except the way, drain or

watercourse so stopped or diverted shall have been purchased under the provisions of this Act.

41. Materials may be taken and Drains made.

All Materials required for the execution or maintenance of every such work may, for every such purpose, be taken from any land within the county, or any of the counties adjoining thereto, but not so as to injure any building, road, bridge, embankment, canal or watercourse, or any yard or garden surrounded by a wall; and all Drains required for the like purpose may be made through any land which has not any building thereon, and is not a yard or garden surrounded by a wall, nor a bleaching-green, nor an avenue to a mansion-house, or dwelling-house, nor lawn or pleasure ground attached thereto, so that written notice of every such taking or making be Six Days previously thereto given to every occupier affected thereby; and satisfaction to such occupier for the damage done in taking and carrying away such materials, or in making such drains, shall by the party under whose direction such damage shall have been done, be made of such amount as shall be awarded by the majority of Three uninterested householders resident in the county where the materials are taken, or the drains are made, and having viewed the place damaged; one to be named by such occupier, another by the Party under whose direction such damage shall have been done, at the time of giving such previous notice, and in default thereof by any Justice of the Peace of the same county, and the third by the two first named, and in default thereof for Five Days by any such Justice; and all three shall be sworn before any such Justice to estimate such damages truly to the best of their judgment, but shall not include therein the value of materials taken, except when taken from a quarry or gravel pit demised by lease authorizing the disposal of such materials; and such satisfaction may be recovered from such party, either in an action, or like a forfeiture under this Act left unpaid for Seven Days.

Satisfaction for the damage thereby.

42. Hereditaments may be taken by the County Board.

Hereditaments required for the execution of every such work may for such purpose be taken on behalf of the County Board after Thirty Days' previous notice, signed by the Secretary of the County Board, shall have been given to every occupier thereof, or in case of vacant possession fixed on some conspicuous part thereof, and after the compensation for the same shall have been ascertained by contract or verdict, and where the case admits, have been either paid according to the directions of this Act, or paid or tendered to the Party entitled thereto; but no building nor yard or garden surrounded by a wall, nor any part thereof respectively, shall without the previous written consent of every occupier and party in receipt of the rents thereof be taken or injured for a road, canal or watercourse; and Compensation for such hereditaments shall be made as follows: namely, The Committee of Superintendence may contract with any Party in the occupation or receipt of the rents of the whole or any undivided part of such hereditaments

Compensation to be given.

taments for the purchase or renting thereof; and every such contract in writing, and also every indented deed executed by such Party and enrolled in the Court of Exchequer in *Ireland* shall have the same effect as if such Party were solely and legally seised in fee in possession, and had made an effectual agreement or assurance according to the tenor of such contract or deed, although such Party may have only a partial estate in such hereditaments or some undivided part thereof, or may be a corporation, married woman, guardian, committee, trustee or mortgagee, and such Party is hereby indemnified from the consequences of every such contract or deed; and every such deed executed by the Committee of Superintendence, shall operate as a covenant on the part of such Committee, in a public capacity, that the party thereby for the time being entitled to the hereditaments comprized therein will duly satisfy every reservation (if any) thereby made.

Incapacities removed.

43. Small portions of land separated from other hereditaments shall be purchased.

Every piece of land contiguous to any work proposed to be executed under this Act, shall, on written notice for the purpose from any Party in the occupation or receipt of the rents of the whole or any undivided part thereof to the Secretary of the County Board within One calendar Month after the laying out of such work, be taken as if the same were hereditaments required for executing such work wherever such land is, if any part thereof be within Three hundred Yards of a public market place, less than Five hundred square Feet in quantity, and if not within such Three hundred Yards, less than either One Acre in quantity or Twenty Yards in average breadth throughout the whole length thereof so contiguous to such work, provided other hereditaments occupied by the same party under the same title are by the execution of such work to be taken or separated therefrom, and no other hereditaments so occupied adjoin thereto.

44. Compensation for the hereditaments taken may be fixed and apportioned by the verdict of a Jury.

Application of Compensation money exceeding 50*l.*

The compensation for hereditaments taken or injured under this Act, if not ascertained by contract, or if the title of the Party contracting for the sale or letting thereof prove defective, shall be fixed, and, whenever the case shall so require, be apportioned among the Parties interested in such hereditaments, by the verdict of a jury; and so far as the same shall not belong absolutely to any Party having a clear title to such hereditaments shall, if the same exceed the sum of Fifty Pounds, be paid without delay into the Bank of *Ireland*, in the name and with the privity of the Accountant General of the Court of Exchequer in *Ireland*, to be placed to his account there, *ex parte* such Committee of Superintendence; and shall, under the order of the same Court made in a summary way, on motion of any Party clearly entitled to the receipt of the rents of such hereditaments, be applied in or towards discharge of any incumbrance upon such hereditaments or upon other hereditaments subject at the time of such payment to the same limitations or trusts as such hereditaments were then liable to; and, so far as the same shall not be so applied, shall, under the order

of the same Court, made in a summary way, on motion of any Party in the actual receipt of the rents of such hereditaments, be invested in purchasing other hereditaments which shall be settled in the same manner as such hereditaments would have stood settled in case the same had not been taken on behalf of the County Board; and in the meantime be invested in the name of such Accountant-General in any stock transferable at the Bank of *Ireland*, in order that the dividends thereof be applied in the same way as the yearly rents of the hereditaments to be purchased therewith would have been applicable if such purchase had been made; Or shall, if such compensation do not exceed the sum of Two hundred Pounds, be paid at the option of the Party clearly entitled to the receipt of the rents of such hereditaments, to two Trustees to be nominated by such party and approved by such Committee of Superintendence, and be applied and invested in manner hereinbefore directed, without any order of the Court of Exchequer or intervention of such Accountant-General; and shall, if such compensation do not exceed the sum of Fifty Pounds, be applied as such Committee of Superintendence shall think fit, for the benefit of every Party actually, at the time when such hereditaments shall have been so taken, in receipt of the rents thereof.

Not exceeding 200*l.*

Not exceeding 50*l.*

45. Hereditaments vested in the Committee of Superintendence to be sold.

Any Hereditaments vested in the Committee of Superintendence by virtue of this Act, and not required for the purposes thereof, may, and if purchased under this Act and for Five successive years not used for the purposes thereof, shall be sold by such Committee in manner directed by the County Board after an offer to sell the same shall have been previously made by such Committee, First, to every Party, if any, in receipt, or who, in case the same shall have been taken by such Committee within the Ten previous years, would have been in receipt of the rents thereof, if the same had not been taken by such Committee; and, Secondly, to every party in receipt of the rents of the adjoining hereditaments, and after non-acceptance of such offer within Thirty Days after the same shall have been made; of which non-acceptance an affidavit made by the Secretary or a member of the County Board not interested in the premises, and sworn at any Petty Sessions within the county where the hereditaments so offered are situate, shall be evidence; and the purchase-money for the hereditaments comprised in every offer so accepted by any such Party shall, on a difference of opinion about the amount thereof between such Party and Committee, be fixed by the verdict of a jury; and shall, in case of the offer directed to be made first, not exceed the whole or proportion, as the case may require, of the compensation originally given by the County Board for the same; and the purchase-money produced by every sale of hereditaments under this Act shall by the Party paying the same be remitted to the County Bank to be there placed to the credit of the county, and shall be carried by the Treasurer of the county to the credit of the district

trict or subdivision whereon the money paid for the original purchase of the same hereditaments shall have been raised, or, in default of proof to the satisfaction of the County Board of there being any such district or subdivision, then to the credit of the county; and the receipt in writing of any Three Members of such Committee shall be a complete discharge for the money so paid, and from the necessity of ascertaining that the requisitions of this Act have been complied with, and be an effectual conveyance to the purchaser of the estate of such Committee in the hereditaments so sold; and in case the purchase-money for any hereditaments sold under this Act shall not be paid conformably thereto, within One calendar Month after the same shall have been ascertained by contract or verdict, of which non-payment the certificate of the Treasurer of the county shall be evidence, the hereditaments comprised in such contract or verdict shall be sold as if the offer to sell the same had not been accepted and no contract had been made for sale thereof.

46. Jury to be summoned by the Sheriff, or Coroner.

The Jury for fixing the amount of such compensation or purchase money shall consist of Twelve Men drawn by ballot by the Secretary of the County Board, out of not less than Forty-eight, nor more than Sixty substantial Persons qualified to serve on juries in the county where the hereditaments so to be taken or sold are situate, and to be impannelled, summoned and returned by the Sheriff, or if he be interested in the matter in question, then by any Coroner of such county not so interested, upon a Warrant to be advertised in the county newspaper and to be issued to him for that purpose by the Sub-Committee for superintending the execution of Public Works therein, and at the place and time mentioned in such Warrant; and such place and time shall be mentioned also in a notice, to be signed by the Secretary of the County Board, and given to every occupier of the hereditaments in question, or, in case of vacant possession, fixed on some conspicuous part thereof, Ten Days at least previously to such time, which shall not be less than Twenty-one nor more than Twenty-eight Days after the serving of the Warrant; and such drawing shall be subject to lawful challenges to the poll alone by the Secretary of the County Board, and by every party entitled to assure or purchase such hereditaments; and so far as there shall be any default of such Twelve Men, such jury shall, subject to like challenges, be made up of other substantial and uninterested men of the by-standers, or who, being qualified to serve on a jury for the county, can speedily be procured for such service; and such jury shall be severally sworn by the officer to whom such Warrant shall be issued, or by his official deputy (if any), before any matter besides the formation of the jury shall be entered on; and such jury shall add to the compensation to be allowed to any party concerned, such sum as they may think fit for defraying all expenses to be thereafter necessarily occasioned in consequence of payment of such

Challenge.

compensation under this Act; and all such expenses shall be paid accordingly out of the aggregate amount so to be paid; and the verdict of such jury shall be in writing, and state the hereditaments affected, and the compensation or purchase money fixed thereby; and shall, before the dismissal of the jury, be signed by the officer to whom such Warrant shall be issued, or by his official deputy (if any), and shall be final, and render it unnecessary for any party to prove or, except the Person signing the same, to ascertain that the requisitions of this Act have been complied with, and shall be delivered to the Secretary of the County Board, and be entered by him in a book, to be kept by him for that purpose, with the same number annexed as is affixed to the application for the presentment to which the same relates; and the same, or a copy thereof certified by him, shall be evidence thereof.

Verdict of the Jury signed by the Officer shall be final.

47. Witnesses may be summoned and examined on oath.

Every Person whose testimony may be thought necessary by such Sub-Committee of Superintendence, or by any Party entitled to assure or purchase the hereditaments in question, shall by notice, signed by such Officer or his official Deputy, be summoned to attend at the place and time fixed in the Warrant of such Sub-Committee, and shall accordingly attend and give evidence on oath to be administered by such Officer or Deputy.

48. Expenses of the Verdict ascertained.

All expenses occasioned by submitting the question of compensation or purchase money to a jury, shall be ascertained, and if necessary be apportioned by the Person signing the verdict thereof, and be certified by his indorsement on the same previously to such signature; and shall be defrayed by the County Board whenever the verdict of such jury shall award a greater sum than shall have been proposed by the Sub-Committee for superintending the execution of Public Works to the party competent to contract therewith, or shall be rendered necessary through want of such competent party; and in all other cases shall be deducted out of any compensation awarded by such verdict, or in default thereof be paid by the party who shall have rendered such verdict necessary; and may be recovered as if such verdict were a judgment of the Court of Exchequer in *Ireland*, for the amount of such expenses.

49. Qualifications and Award of Commissioners.

Every Commissioner appointed by the County Board for effecting any Public Work, before acting as such, shall, in open Court at any Assizes or Quarter Sessions for the county, deliver to the Clerk of the Peace or his Deputy, a certificate of his qualification; and the Award executed by the majority of the Commissioners so appointed shall be enrolled with the Clerk of the Peace for the county, and be thenceforth binding on all parties concerned, and evidence of all matters required or authorized to be theretofore done by, or with the consent of such Commissioners; and shall be a complete title to the fee in possession

sion of such hereditaments comprized therein, as shall have been sold by auction by such Commissioners for defraying the expenses of their commission and award; and shall also have the effect, where necessary, of interchanging and partitioning hereditaments comprized therein, and of ascertaining the fences for, and liabilities in respect of the same, without further affecting titles or tenures, or disturbing possession; and of setting out, turning and stopping, at the discretion of the majority of such Commissioners, such roads within the limits thereof, or necessary for the enjoyment of hereditaments comprized therein as are not under the care of the Committee of Superintendence; and of determining the boundaries of parishes (if any) within the limits thereof; and may comprize hereditaments situate within Two Miles of the original limits thereof, and also within the county, with the written consent of the parties, for the time being, in receipt of the rents of such hereditaments respectively, although any of such parties may be a corporation, married woman, guardian, committee, trustee or mortgagee; and where any such party is entitled to such hereditaments, as ecclesiastical incumbent, then with the further written consent of the patron and ordinary (if any) of the benefice whereof such hereditaments are part.

Incapacities removed.

50. Payment of the expenses of the Award.

Every Party for the time being in receipt of the rents of the whole, or any undivided part, of any hereditaments comprized in such Award may, with the consent thereby testified of the Commissioners making the same, and stating therein the amount to be raised by such Party, sell or mortgage any of such hereditaments for raising the amount of the expenses occasioned by such Award in respect of the same hereditaments, and not defrayed with the produce of sales made by such Commissioners; and every indented deed, executed by such Party pursuant to such consent, shall have the same effect as if such Party were solely and legally seised in fee in possession, and had made an effectual assurance according to the tenor of such deed, although such Party may have only a partial estate in the whole, or some undivided part, of the hereditaments comprized therein, or may be a corporation, married woman, guardian, committee, trustee or mortgagee, except that not more than half a year's interest of any money, so raised by mortgage, shall be a charge on any other estate in the hereditaments so mortgaged than that during the continuance whereof such interest shall have fallen due; and such party is hereby indemnified from the consequences of every such deed.

Incapacities removed.

51. Money raised for the expenses of the Award accounted for by the Commissioners.

All Money raised for defraying the expenses of every such Commission and Award shall be applied accordingly by the Commissioners executing the same, and with the expenditure thereof, be fully stated in an Account, which within Six calendar Months after the date of their Award shall be given by them of the execution of the presentment under which such Award shall have been made.

52. Shares, &c. to be Personal Estate.

All Tolls, Rates and Shares authorized by presentment to be taken, levied and created respectively on account of any public work under this Act shall be personal estate and transferable and transmissible accordingly.

53. Mode of levying County Rates.

The Rates payable under this Act shall, subject to the provisions thereof, be levied as grand jury rates have heretofore been levied; but when a Valuation of the county, or of any part thereof, becomes applicable for the purposes of this Act, such valuation shall, as far as it extends, be the guide for ascertaining the amounts of individual assessments, by a Poundage to be certified as hereinbefore directed; and, as far as no sufficient guide shall be for the time provided by any such valuation, the proportions in which individual assessments shall be made, within every denomination liable to be separately assessed to County Rates, may from time to time be fixed by the certificate in writing of the majority of Three Persons appointed by any Three Members of the Committee of Superintendence; and every such certificate shall be verified by the affidavit of such majority at any Petty Sessions within the county, and shall be delivered in duplicate to, and preserved by, the Treasurer of the county and the Collector of County Rates, from the property affected thereby, and shall remain in force until a subsequent valuation, or a change of the property comprized therein, shall have superseded the same, or rendered a new certificate necessary.

54. County Valuation.

A Valuation of the County, or of any part thereof, made under any Statute, other than the Act passed in the seventh year of his late Majesty King GEORGE the Fourth for the uniform valuation of lands in *Ireland*, shall be adopted under the following regulations; namely, the Sub-Committee for superintending the maintenance and execution of public works shall add thereto all Fisheries omitted therein, with the average clear annual value of the same respectively during the three years preceding the then last meeting of the County Board, and also all Compositions for tithes, and all Tenements omitted therein; with the respective annual value of the property included in the amended valuation, according to the scale fixed by such Act of the seventh year of his late Majesty King GEORGE the Fourth, as far as it may be applicable, and also with the names of the respective occupiers and immediate owners of such property; and shall expunge therefrom all Fractions of a pound; and all tenements devoted to charitable or other public purposes, or of less value than Five Pounds a year each, or erected within the Seven like preceding years, and all increased value occasioned by improvements made within the same period; and shall, pursuant to advertisement inserted thrice in the county newspaper, deposit copies of such amended valuation, certified by such Sub-Committee, with the Secretary of the County Board, the Treasurer of the county, the County Engineer, and every Collector of County Rates, from

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from property included in such valuation respectively, for One calendar Month, in order that the same may be freely examined and copied at all reasonable hours by any of the Rate-payers affected thereby; and shall immediately after the month, and at a place within the limits of such valuation to be appointed by like advertisement, meet and decide all objections to the amended valuation, and may alter the same according to the objection; and shall stand adjourned from day to day at Ten o'clock in the forenoon (Sunday excepted) while any such objection is undecided; and shall, pursuant to like advertisement, deposit like certified copies of the valuation, finally arranged by such Sub-Committee, in like manner and for the like period and purposes; and the valuation so finally arranged shall (subject to alteration on appeal conformably to the foregoing directions) be adopted within the limits thereof for the purposes of this Act; and the adopted valuation may, after the expiration of every Seven Years, be from time to time amended in like manner.

Landlord answerable for certain rates.

Tenements immediately occupied under the same Party, and each of less value than Five Pounds a year, and together of greater value than Ten Pounds a year, and being (where property is locally divided for the purpose of distinct assessment to County Rates) in the same division shall be included as one tenement in the amended valuation, together with the name of such Party as actual occupier thereof, who shall be dealt with accordingly (yet not so as to make the tenant's goods liable to seizure); and such Party shall be answerable for the rates charged on such tenements in an action at the suit of the Collector; and service of process on such Party's known agent shall be equivalent to personal service thereof.

56. Acreage and Value.

The total Acreage and annual value of every denomination liable to be separately assessed to County Rates shall be made to appear in such amended valuation; and a printed copy of that part of such amended valuation which states the total acreage and annual value of every such denomination, certified by the signatures of the Treasurer of the county and Secretary of the County Board to be correct, shall be evidence thereof for the purposes of this Act.

Evidence of Valuation.

57. Recovery of Rates.

The Rates recoverable under this Act shall not exceed One Year's arrear; and when a valuation shall, under this Act, have been adopted for the county, every party having paid rates, or any part thereof, directly or indirectly, under this Act, may, out of and in part satisfaction of the next rent payable by such party for the same property, make a Deduction not exceeding One-half of such Poundage on the annual rent thus payable as shall have been used for ascertaining the rates in consequence whereof the deduction shall be claimed; but the deduction shall not exceed the payment which immediately gives rise to it, nor contain a fraction of a penny, nor affect any remedy by ejectment; and every stipulation for defeating such deduction in connexion with any assurance made for an estate not exceeding Three Lives or Thirty-one Years, shall

Deductions over on account thereof.

shall be void; and every private annual sum payable out of property charged with rates under this Act (interest for money excepted) shall be subject to deduction like rent.

58. CLAUSE (A.) **When a Vacancy** shall occur in the Office of Treasurer of the county, the Secretary for the time being of the County Board shall, upon giving the security required from such Treasurer under Schedule (B.), be the Treasurer of the county, and discharge the duties of such Office, and be thereupon entitled to One-half of the Salary provided by the same Schedule for such Treasurer.

59. Salaries of Public Officers. **The respective Remunerations** to the several Officers specified in Schedule (B.) shall be such as are stated therein, and no other remuneration shall be allowed to any of them on any account whatever.

60. Posting, &c. of Notices. **All Notices shall** be fairly written or printed, and signed by the Persons respectively giving the same, and (except in cases of meeting of the County Board, or Committee or any Sub-Committee of Superintendence, Appeal or Action) when required to be posted, shall, if from site or otherwise specially relating only to one parish, or some part thereof, be posted on every police station (if any) and between Ten o'clock in the forenoon and Four o'clock in the afternoon on the usual place for posting notices of application for presentments in the parish, and before the first posting be delivered to the Clerk of the District Petty Sessions for public examination; and shall, if not so relating, be inserted thrice in the county newspaper, and be posted between the same hours on the principal outer door of the Court House (if any) in which the Quarter Sessions of the Peace are held for every district wherein any hereditaments mentioned in such notice are situate, and before the last insertion thereof be transmitted to the Secretary of the County Board, if any.

61. Delivery of Notices. **Leaving a Notice** at the usual abode, and with any of the family, above Sixteen Years old, of the Party to whom the same is to be given or if such party be an officer of the County Board, then sending the same by post, free of postage, shall be a Delivery thereof.

62. Vacancies in Offices. **Every Appointment which** ought to be made by the County Board may be made by the Committee of Superintendence, until made by the County Board.

63. County Treasurer's Securities. **All present Securities** for the due execution of the office of Treasurer of the county shall extend to all money received by him under this Act.

64. Traverse to Presentments. **Every Presentment of** the County Board shall be exempt from Traverse, except the same be for executing or maintaining a public work,

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or for passing an account, in which case such presentment may be traversed only for illegality or for inutility in the work to which the same relates, by or on behalf of any party interested in any hereditaments specially affected by such work, or for incorrectness in the Account to which the same relates, by or on behalf of any rate-payer liable to pay county rates in discharge of such account; and every Traverser must give notice of traverse, and of the specific subject thereof to the Secretary of the County Board Ten Days at least before its meeting previously to the Assizes at which the presentment to be traversed shall be made, and also (in case of an account) to the Party accounting, and at the Special Sessions whereat such account shall be examined, and must at such Assizes, or (in case of an account) at such Special Sessions enter into a recognizance in an amount to be determined by the Judge of Assize or by the Special Sessions, as the case may be, for prosecuting such traverse, and thereupon such traverse shall be entered in the Crown Book.

65. Trial of Traverse.

Every Traverse shall be tried on the entry in the Crown Book of the same, and of the presentment to which the same relates without making up a record thereof, and at the discretion of the Judge of Asssize, either at the Assizes at which such Traverse shall be entered, or at the then ensuing Assizes.

66. Union of a County and of a County of a City or Town.

Every County of a city or town may be united to a surrounding or adjoining county, so as to form a District thereof for the purposes of this Act, by the Chief Governor of *Ireland*, by an order in Council, stating the name of such district, and the proportion to be borne thereby of the charges on the county at large, and founded on a presentment passed by the County Board of each such county in consequence of an application similar to an application for a presentment to execute public works and fiated by the Judge of Assize thereat respectively; and such union shall take place from the end of Six calendar Months after such order shall have been lodged with the Treasurer of each such county; and a copy of such order, signed by either of such Treasurers, shall be evidence thereof.

67. Hereditaments used by a County deemed situate therein.

All hereditaments for the time being, finally appropriated to the public purposes of a county at large, shall be deemed situate therein.

68. Penalty on Persons acting without Qualification, &c.

Every Person acting under this Act without the qualification, or without having delivered the certificate, or given the security required, (if any), or being County Engineer, or Assistant Engineer, and directly or indirectly interested in or answerable otherwise than as such Engineer for the execution of any contract under this Act, or as Member or Officer of any County Board, and without the previous sanction of a Judge of Assize or of the Board of Public Works in *Ireland*, agreeing to or causing to be prepared or published any address,

address, petition, resolution or declaration not required by this Act, may be fined at discretion by any Judge at Assizes for the county held within one year after the commission of the offence; and where such security is required, shall be for ever afterwards incapable of holding any office of profit under this Act.

69. Penalties.

Every Person neglecting to fill the office, or perform the duties put upon him by this Act (not being the office of one of the Committee of Superintendence filled by him within the Five preceding Years), or wilfully impeding or unduly interfering with the execution of this Act, shall for every such offence forfeit the following sums; (videlicet) a sum not exceeding Ten Pounds for neglect of executing the warrant of the Sub-Committee for superintending the execution of Public Works, nor Five Pounds for every other offence, to be imposed within Three calendar Months thereafter by two Magistrates at Petty Sessions on proof thereof by the confession of the Party, or testimony of one credible Witness, unless sufficient cause be shown to the contrary, and to belong one-half to the Treasurer of the county for the benefit thereof, and the other half to the prosecutor, and in default of payment for Seven Days, to be levied, with all costs resulting from the non-payment, not exceeding Two Pounds, by distress and sale of the offenders' goods on a warrant under the hands and seals of two Magistrates at Petty Sessions, and the overplus (if any) of such sale shall be returned to the offender; and if, on the return of the warrant, there appear, by like testimony, to be no sufficient distress, every such offender may, on a like warrant, specifying the forfeiture imposed and costs occasioned thereby, be committed to the Gaol or House of Correction for the county, there to remain without bail or mainprize for any period not exceeding Two calendar Months, if such fofreiture and costs so long remain unpaid.

70. Appeals.

Every Person aggrieved by any proceeding under this Act may appeal as follows; (namely) to Petty Sessions in respect of omissions or particulars in the Collector's List; to the County Board in respect of omissions or particulars in the valuations; to the General Quarter Sessions for the county, in respect of decisions made by Commissioners appointed by the County Board preparatory to their Award, or of forfeitures authorized by this Act; and to the Board of Public Works in *Ireland* in respect of accounts totally or partially disallowed; and the Court of Appeal may confirm, annul or alter the matter appealed against, and adjudge to either Party such costs, not exceeding Twenty Pounds, in case of an award, and Ten Pounds in every other case, as may seem just, which shall be recovered like a forfeiture under this Act left unpaid for Seven Days.

71. Notice of Appeal.

Every Appellant must give notice of Appeal, and of the specific subject and ground thereof to the Collector whose List is in question when

when made to Petty Sessions Three Days, and a like notice to the Secretary of the County Board, and to every Collector of County Rates from the property affected by such Appeal, when made to the County Board, Fourteen Days at least before the time of hearing the Appeal; and a like notice to such Secretary, on behalf of the Committee of Superintendence, when made to such Board of Public Works, within Twenty-one Days after such disallowance, and a like notice to the Commissioners whose decision is in question, within Twenty-one Days after such decision, and to the Clerk of the Petty Sessions when made in respect of a forfeiture within Three Days after such forfeiture is imposed; and must, in either of the two last cases, within Three Days after such notice, enter into a recognizance, with two sufficient sureties, before a Magistrate of the county, for prosecuting and abiding by the issue of the Appeal.

72. Prosecution of Appeals.

Every Appeal must be prosecuted at the Court of Appeal next after the expiration of an interval commencing with the occurrence of the grievance complained of, and being double the time allowed for giving notice of appeal; but no pending Appeal shall suspend the levying of money in pursuance of any Presentment, nor shall the decision on an Appeal about a valuation be retrospective.

73. Exemptions from Duty.

Every Certificate, Contract, Receipt, Security and Advertisement under this Act shall be exempt from Duty.

74. Forms.

The Forms and Directions contained in Schedule (A.) shall be followed as far as they are substantially applicable.

75. Construction of Act.

The Provisions of this Act concerning a "County" shall apply to a riding, to a county of a city or town, and to a city and county; and so far as regards the County Engineer or Assistant Engineer, to "any of the Districts thereof;" and those concerning "Districts," to the baronies of the county not divided into districts; and those concerning a "Barony" to a half barony, and to a distinct part of a barony divided under this Act; and those concerning "County Rates," to every rate levied directly under a Presentment by the County Board; and those concerning "Assizes," to Presenting Terms; and those concerning "the Chief Governor," to the Lords Justices acting in his stead; and those concerning the "High Sheriff," to the Chief Magistrate of the place where no High Sheriff shall have jurisdiction; and those concerning "Public Works" to all undertakings which are proposed to be executed or maintaind at the expense and for the use of the whole or any part of the county or public, and from which, if such expense is to be charged on any such part, being less than a Barony or District, dissent shall not be expressed by or on behalf of the party or parties for the time being in receipt of

the rents of one-third, either in value under this Act or in extent, of the hereditaments to be charged with such expense.

76. Claims for Allotments.

All Claims for allotments under every inclosure to be effected through a Presentment shall (subject to the appeal hereby given) be decided by the majority of the Commissioners appointed by the County Board for effecting the same.

77. Indemnity.

Any Proceeding under this Act shall not be quashed for want of form or removed into any of His Majesty's Courts in *Dublin*, nor through irregularity amount to trespass; but every party aggrieved thereby may, by action on the case brought within Three calendar Months after the occurrence of the grievance complained of, and not otherwise, recover satisfaction for the special damage when no sufficient amends have been tendered in the meantime, and notice of such action has, Ten Days at least before the bringing thereof, been delivered to the party against whom the same shall be brought; and whenever such action fails, the party complained of therein shall have double costs.

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SCHEDULES to which this Act refers.

SCHEDULE (A.)

FORMS.

1.—Collector's List.

Barony [*or*, District] of County of

No.	Name.	Amount charged.	Amount paid.	Description of Property charged.	Residence.	No.
		£. s. d.	£. s. d.			
1.	*A. C.* - -	20 10 –	20 10 –	Land and Houses	- - -	1.
2.	*C. F.* - -	20 19 –	20 5 –	Houses - -	- - -	2.
14.	*W. B.* - -	14 – –	12 5 –	House and Land	- - -	14.
15.	*V. R.* - -	15 10 –	12 – –	Land - -	- - -	15.
42.	*Y. M.* - -	5 11 –	5 – –	Houses - -	- - -	42.

I certify that the above is a correct List of the Names of all Rate Payers and of the sums charged on and paid by them respectively for property within my collection, under presentments fiated at Assizes occurring within the Fifteen calendar Months before this date, pursuant to the of William the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty-

(signed) *B. D.*, Collector of County Rates.

2.—High Sheriff's Notice for summoning a Meeting within a Collection.

Notice.

Barony [*or*, District] of County of

A Meeting will be held at [*place*], on the day of One thousand eight hundred and Thirty- , at Eleven of the clock in the forenoon, to elect Members of the County Board, pursuant to the of William the Fourth, chapter

(signed) *P. B.*, High Sheriff.

Dated this day of One thousand eight hundred and Thirty

3.—Paper to be delivered to the Chairman of the Meeting within a Collection.

Barony [*or*, District] of County of

I, *T. S.*, of being a member of the meeting held this day, within this Barony [*or*, District], pursuant to the of William the Fourth, chapter vote for *A. M.*, of *C. D.*, of &c. as qualified to be members of the County Board.

Dated this day of One thousand eight hundred and Thirty-

(signed) *T. S.*

To the Chairman of the Meeting.

4.—List of Persons elected at the Meeting within a Collection.

Barony [*or*, District] of County of

No.	Persons elected.	Residence.	Number of Votes given for him.
1.	*A. M.*	—	40
2.	*X. N.*	—	38
3.	*Y. T.*	—	35
6.	*N. P.*	—	30

We certify, That the above is a correct List of the Persons for whom the greatest number of Votes was given, and of the number of Votes respectively given for them at the Meeting held in this Barony [*or*, District] pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty-

(signed) *O. M.*, Chairman of the Meeting.
B. D., [*or*, *A. N.*,] Secretary.

To *E. R.*, Treasurer [*or*, *P. B.*, High Sheriff,] of the county.

5.—List of Persons selected to be Members of the County Board.

County of

No.	Names	Residence.	Elected for Barony or District of	Number of Votes given for him.
1	*A. M.*			40
2	*P. O.*			65
3	*N. P.*			30
20	*M. Q.*			72
30	*N. R.*			63
36	*P. W.*		Supplied by the	
37	*S. Y.*		Sheriff.	

From the lists transmitted to me from the several Baronial and District Meetings, held in the county, I have selected the persons [*or* persons] whose names are contained [*or*, first mentioned] in the above list to be members of the County Board, [*add, if necessary*, and I have supplied the deficiency in such lists out of persons liable and qualified to serve as members thereof,] pursuant to the of WILLIAM the Fourth, Chapter

(signed) *P. B.*, High Sheriff.

6.—High

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6.—High Sheriff's Notice for summoning the County Board.

NOTICE.

County of .

The County Board will meet at [*place*] on the day of One thousand eight hundred and Thirty , at Ten of the clock in the forenoon, pursuant to the of WILLIAM the Fourth, Chapter

(signed) *P. B.*, High Sheriff.

To all persons concerned [*or*, to *A. M.* of .]

7.—Certificate of Qualification of a Member of the County Board, or of a Justice of the Peace at Special Sessions.

County of } I, *A. B.*, certify, That I am *bonâ fide* possessed [*or* am heir apparent of *C. D.*, who is possessed] for my [*or* his] [*or* my wife's] exclusive benefit of a clear annual income of at least Two hundred Pounds, arising from tenements situate at in this county, [*or, in case of member of the County Board,* am *bonâ fide* possessed for my exclusive benefit of the clear annual income arising from Five thousand Pounds in personal property above all my just debts and incumbrances, and reside at in this county], and that such income, or any part thereof, has not been assured to me [*or, C. D.*] for the purposes of an Act, intituled, "An Act for the administration of certain Civil Affairs of a local nature by County Boards in *Ireland*." And I solemnly promise to proceed in the execution of the same Act, faithfully and without favour or malice, according to the best of my judgment and the information to be laid before me.

Dated this day of One thousand eight hundred and Thirty

(signed) *A. B.*, Member of the County Board,
[*or*, Justice of the Peace for the County.]

N.B. Qualification for a Justice of the Peace to be in the district.

8.—Notice of Application for a Presentment for levying Money, or by a Contractor for Payment.

NOTICE.

County of [*or*, Barony or District of County of .]

AT the Special Sessions to be held on the day of One thousand eight hundred and Thirty , at for the Barony [*or*, District] of , an application will be submitted for a presentment to levy the sum of Pounds on the County [*or*, Barony, *or*, District of], [*or*, for payment of the sum of Pounds, pursuant to the contract entered into for], [*state the subject of the application*].

Dated this day of One thousand eight hundred and Thirty

(signed) *T. K.* of .

APPLICATIONS.

9.—For a Lease of Tolls or Rates.

County of } WHEREAS under a presentment passed at Assizes, in the year One thousand eight hundred and Thirty , certain Tolls [*or*, Rates] are authorized to be taken for the use of [*describe the public Work*], which is vested in the Committee of Superintendence, under the of WILLIAM the Fourth, chapter . Now I hereby propose to take, according to the same Act, a Lease of such Tolls [*or*, Rates] for the term of years, at an annual rent of pounds, payable by equal instalments on every

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. S.* of

10.—For Damages for malicious Injury.

Barony [*or*, District of] County of

WHEREAS on the day of One thousand eight hundred and Thirty , at [*state the particulars of the injury*]: Now I certify that I [*or, C. D.*, on whose behalf I apply] sustained thereby a loss of at least pounds, as set forth in the annexed Schedule; and that such injury was committed by or more persons [*state the name of every one of them known, and the descriptions which can be given of any of them who may be unknown to applicant*]; and I propose that such sum of pounds shall be levied on the County [or Barony, or District of .]

Dated this day of One thousand eight hundred and Thirty .

(signed) *D. K.* of

The Schedule must state the particulars injured and the respective amounts of injury.

(signed) *D. K.*

11.—For opening a new Road.

County of } WE, *T. S.* of and *S. B.* of certify, That it is necessary to open a new line of Road from to between and in the Barony [*or* Baronies, *or* District *or* Districts] of according to the annexed Map, Plans, Sections and Specifications, which, with the annexed Estimates, have been made by *E. F.* of and we propose that the expense, amounting to pounds, of such new line of Road [*or* that part of such new line of Road which lies between and] shall be levied upon the County [*or* Barony, *or* District of] according to such estimates, which we believe to be fair and reasonable.

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. S.* } *or, W. J.*
S. B. } County Engineer.]

The Map must be on a scale of not less than ten inches to one mile, and must include the present road [if any], for which such new line is to be substituted, and show every road and stream, crossing either the present line or such new line.

The Sections must show the respective inclinations of every part of the ground over which it is proposed to make the new road, and of the proposed road, and of the present road [if any] throughout the whole length of each, and the differences between each in vertical height above their respective bases, and the alterations proposed to be made in every hill or hollow, and the width and form of the proposed road, fences and drains: The vertical height of every such base above some fixed point must be also shown.

The longitudinal Section must be on the same scale with the Map.

The vertical Section must be on a scale of not less than one inch to thirty feet, in case the total height above the base shall not exceed three hundred feet, and on a scale of not less than one inch to sixty feet in every other case.

The cross Section must be on a scale of not less than one inch to ten feet.

There must be a separate Plan, Elevation, Specification and Estimate, pursuant to Schedule (A.) No. (20.) for every Bridge, and for every description of gullet, proposed to be built on the new line.

The specification for the road must contain distinct details of the quantity, size and kind of materials to be used, and the mode of using them; and must correspond with the Map or Plan [as the case may be], and the Sections.

The Estimate must state separately the detailed expenses of completing the whole and every one of the proposed works, and the time within which the same should be completed; and also the expense proposed to be levied on every barony [*or* district], and on the county respectively.

Dated this day of One thousand eight hundred and Thirty .

(signed) *E. F.*

12.—By

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12.—By Tender for a Contract to make a New Road.

Barony [*or*, District] of County of

I [*or*, We] *T. K.* of in the county of &c., propose to form, level and drain yards in length of the intended road from to between and all in this barony [*or*, district], for the sum of pounds, being at the rate of by the yard: and to finish the same yards with small stones or gravel for the sum of pounds, being at the rate of by the yard: and to fence the same yards at both sides for pounds, being at the rate of by the yard; making in the whole pounds, which includes all charges for such works; and I [*or*, we] propose to complete the same works before the day of One thousand eight hundred and Thirty pursuant to the Map, Specification and Sections, which were presented by the County Board at the meeting thereof, held previously to Assizes, One thousand eight hundred and Thirty and I propose as my sureties *R. U.*, of , and *S. S.*, of

Dated this day of One thousand eight hundred and Thirty

(signed) *T. K.*

13.—For repairing a Road.

Barony [*or*, District] of County of .

We, *T. S.* of and *S. B.* of certify, That we have lately measured yards in length of the road from to between and ; and that of such yards yards are in the townland of , and yards in the townland of [*or*, between the townlands of and] all in this barony [*or*, district]; and that such yards cannot be effectually repaired, according to the annexed specification, for less than pounds, being at an average rate of by the yard; and we propose that such sum of pounds shall be levied on the county [*or*, barony, or district of .]

(signed) *T. S.*, *S. B.* [*or*, *W. J.* County Engineer.]

Dated this day of One thousand eight hundred and Thirty

The specification must contain distinct details of the quantity, size and kind of materials to be used, and the mode of using them, and must state the proposed form and clear width of the road when repaired, and also the width proposed to be covered with small stones, gravel or pavement.

The estimate must state separately the detailed expenses of completing the proposed work, and the time within which the same should be completed.

Dated this day of One thousand eight hundred and Thirty

(signed) *T. S.* [*or*, *E. F.*]

14.—For widening or straightening a Road, and making Fences instead of those to be taken away.

Barony [*or*, District] of County of .

We, *T. S.* of and *S. B.* of certify, That we have lately measured yards in length of the road from to between and ; and that of such yards are in [*or*, between] the townland of &c., all in this barony [*or* district], and that it is necessary to make such yards of the uniform width of feet in the clear between the ditches, banks, drains or fences, and to make new fences instead of those to be removed, and to repair yards of such road; and that the same works cannot be executed for less than pounds, according to the annexed Map, Section and Specification, which, with the annexed Estimates, have been made by *E. F.* of ; and we propose that such sum of pounds shall be levied on the county [*or* barony, *or* district] of .

(signed) *T. S.*, *S. B.* [*or*, *W. J.* County Engineer.]

Dated this day of One thousand eight hundred and Thirty

The Map must show the present and the proposed width of the road, and the sides of the road on which the widening is to take place.

The cross Section must show the form of the road when completed.

The Scales for the Map and Section must be according to the directions in Number 11 of this Schedule.

The Specification must contain distinct details of the fences to be made, and of the quantity and kind, and (if necessary) the size of the materials to be used, and the mode of using them, and must correspond with the Map and Section.

The Estimate must state separately the detailed expenses of completing the whole and every one of the proposed works, and the time within which the same should be completed, and also the expenses proposed to be levied on every barony [*or* district] and on the county.

Dated this day of One thousand eight hundred and Thirty

(signed) *E. F.*

15.—For Making or Repairing a Footpath.

Barony [*or*, District] of County of

We, *T. S.* of and *S. B.* of certify, That it is necessary to make [*or*, repair] yards of footpath on the road [*or*, intended road] [*or*, within the fence along the side of the road] from to between and all in this barony [*or*, district]; and that the same cannot be executed, according to the annexed specification, for less than pounds, being at an average rate of by the yard; and we propose that such sum of pounds shall be levied on the county [*or* barony *or* district of .]

Dated this day of One thousand eight hundred and Thirty

(signed) *T. S.*] [*or*, *W. J.*
S. B.] County Engineer.]

The Specification must state the materials proposed to be used, and the mode of using them, how much of the footpath is to be newly formed [*or* raised, *or* widened], and how the same is to be secured by stones along the edge or otherwise.

Dated this day of One thousand eight hundred and Thirty

(signed) *T. S.* [*or*, *S. B.*]

16.—For lowering a Hill or filling a Hollow [*or both, as the case may be*] including the building of a Bridge or Gullet, if necessary.

Barony [*or*, District] of County of

We, *T. S.* of and *S. B.* of certify, That we have lately measured yards in length of the road over the hill [*or* hollow] in the townland of in this barony [*or* district] being part of the road from to and that it is necessary to [*state the works proposed*], and that such works cannot be executed for less than pounds, according to the annexed Map, Section, Plan, Elevation and Specification, which with the annexed Estimates have been made by *E. F.* of and we propose that such sum of pounds shall be levied on the county [*or* barony, *or* district of] according to such estimates, which we believe to be fair and reasonable.

Dated this day of One thousand eight hundred and Thirty

(signed) *T. S.*] [*or*, *W. J.*
S. B.] County Engineer.]

The Map and longitudinal Section must show the length of the road to be lowered or raised, the inclination of the present and of the proposed surface, the perpendicular ascent, descent and length proposed to be saved, and the width of the road when altered.

The

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The cross Section must show the form of the road, and of the fences and embankments. The Scales for the Map and Sections must be according to the directions in Number 11 of this Schedule.

The Plan, Elevation and Specification of the bridge or gullet must be pursuant to Schedue (A.) No. 20.

The Specification for lowering the hill or filling the hollow must state the quantity and kind of materials to be moved, and whether the same will be applicable to the work; also the quantity, size and kind of materials to be used in making the road, and the mode of using them.

The Estimate must state separately the detailed expenses of completing the whole and every one of the proposed works (including the fences); and also the expenses proposed to be levied on every barony [or district] and on the county respectively.

(signed) *E. F.*

Dated this day of One thousand eight hundred and Thirty- .

17.—For filling Grips, Drains or Trenches on the side of a Road, [*add, if necessary,* and making Fences thereto.]

Barony [*or,* District] of County of

We, *T. S.* of and *S. B.* of certify, That we have lately measured yards in length of the road from to between and all in this barony [*or,* district], and that yards in length of [grip, &c.] immediately adjoining to such yards of road, are of the average width of and depth of measuring cubic yards, and are dangerous for travellers; and that it will require at least the sum of pounds to fill up the same; [*add, if necessary,* and the sum of pounds to make a sufficient fence, [*or,* wall with the trench on the field side thereof] being at the average rate of by the yard in length for filling up [*add, if necessary,* and by the yard in length for making the fence or wall]; and we propose that the expense of such works shall be levied on the county [*or* barony, *or* district of .]

(signed) *T. S.* } [*or, W. J.*
S. B. } County Engineer.]

Dated this day of One thousand eight hundred and Thirty- .

18.—For making Fences on the side of a Road.

Barony [*or,* District] of , County of

We, *T. S.* of and *S. B.* of certify, That we have lately measured yards of the road from to between and all in this barony [*or,* district]; and that it is dangerous for travellers to pass along such yards of road, as there are not sufficient fences between the same and the drains [*or,* holes] on the sides thereof; and that it will require at least the sum of pounds to make such fences, being at the average rate of by the yard; and we propose that such sum of pounds shall be levied on the county, [*or,* barony, *or,* district of] Dated this day of One thousand eight hundred and Thirty .

(signed) *T. S.* } [*or, W. J.*
S. B. } County Engineer.]

 19.—For

19.—For making or enlarging a Drain to convey Water from a Road.

Barony [*or*, District] of County of

We, *T. S.* of *S. B.* and *S. B.* of certify, That it will require at least the sum of pounds to make [*or*, enlarge] yards in length of drain (being at the average rate of by the yard) to convey away the water which injures the road from to between and all in this barony [*or*, district], such drain to be on the average at least feet wide at top, feet in perpendicular depth, and feet wide at bottom [*add, if necessary*, and the sum of pounds to make yards of fence between such drain and road, being at the average rate of by the yard]; and we propose that such sum of pounds [*or*, sums of pounds and pounds, making together pounds] shall be levied on the county [*or* barony, *or* district of] Dated this day of One thousand eight hundred and Thirty .

(signed) *T. S.* } [*or*, *W. J.*
S. B } County Engineer.]

20.—For building, enlarging or repairing any public Building, or a Bridge, Gullet or Wall.

Barony [*or*, District] of County of

We, *T. S.* of and *S. B.* of certify, That we have lately examined , and that it is necessary to [*state the work*] at [*describe the site*] in this barony [*or*, district], according to the annexed Plan, Section, Elevation and Specification, which, with the annexed estimates, have been made by *E. F.* of ; and we propose that the expense, amounting to pounds, of such shall be levied on the county [*or*, barony, *or* district of] according to such estimates, which we believe to be fair and reasonable.

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. S.* } [*or*, *W. J.*
S. B. } County Engineer.]

The Plan, Elevation and Sections must be on a scale of not less than one inch to ten feet, and must delineate the several parts of the work, and state the respective dimensions in figures, to correspond with the respective scales; and for every bridge there must be a longitudinal section through the abutments, arches and piers, and a cross section for every abutment and every different pier.

An elevation is not necessary where the sum required is less than Forty pounds in the case of a public building; or Ten pounds in the case of a bridge, gullet or wall.

The Specification must contain distinct details of the quantity and kind of materials to be used, and the mode of using them; and of the parts, if any, proposed to be built with cut or hammered stone, or with common masonry.

The Estimate must state separately the detailed expenses of completing the whole and every one of the proposed works, and the time within which the same should be respectively completed, and also the expenses proposed to be levied on every barony [*or*, district], and on the county respectively.

Dated this day of One thousand eight hundred and Thirty .

(signed) *E. F.*

21.—By Contractor (under Number 11 and Numbers 13 to 20, inclusive) for Payment.

County of [*or* Barony, *or* District of County of]

Whereas the sum of pounds was presented at Assizes, in the year One thousand eight hundred and Thirty . For [*insert according to the case.*]

[Laying out, forming, levelling, draining, fencing, finishing with small stones or gravel, repairing, widening, straightening yards in length of the road or intended road.]

[Making, repairing yards of a footpath.]

(Lowering

(Lowering a hill, filling a hollow [*state any other works*] in the townland of on the road.)

[Filling up yards of grips [*state any other works*] on the side of the road.]

[Making yards of fence on the side of the road [*or* intended road.]

[Making, enlarging yards of drain to convey water from [*add, if necessary,* making yards of fence] to the road]

from to , between and , all in this barony [*or* district]. [*or in case of a public building or bridge* For [*state the work*] at [*describe the site*] all in this barony [*or* district.]

And whereas I contracted to execute such work [*or* works] for the sum of pounds; Now having duly executed such [*or* a part of such] works, according to such contract, I hereby apply for payment pursuant thereto [*or* an advance of pounds, pursuant to the of WILLIAM the Fourth, chapter .]

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. K.* Contractor.

22.—For erecting Mile-posts or Finger-posts.

Barony [*or,* District] of County of .

WE, *T. S.* of of and *S. B.* of certify, That it will require at least the sum of pounds to erect mile-posts [*or,* finger-posts] on the road, from to , between and in this barony [*or,* district], being at the rate of for each mile-post [*or,* finger-post]; and we propose that such sum of pounds shall be levied on the county [or barony or district of].

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. S.* } [*or, W. J.*
S. B. } County Engineer.]

23.—By Contractor for Payment for erecting Mile-posts or Finger-posts.

Barony [*or,* District] of County of .

WHEREAS the sum of pounds was presented at Assizes, in the year One thousand eight hundred and Thirty , for erecting mile-posts [*or,* finger-posts] on the road from to , between and in this barony [*or* district] being at the rate of for each: And whereas I contracted to erect such [*or* of such] mile-posts [*or,* finger-posts] for pounds, being at the rate of for each; Now having duly erected the same according to such contract, I hereby apply for payment pursuant thereto.

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. K.* Contractor.

24.—For keeping a Road in Repair by Contract.

Barony [*or,* District] of County of

WE, *T. S.*, of and *S. B.*, of certify, That we have lately measured yards in length of the road from to between and ; and that of such yards yards are in the townland of , and yards in the townland of [*or,* between the townlands of and] all in this barony [*or,* district]; and that such yards cannot be effectually kept in repair for years, according to the annexed specification, for a less sum than pounds by the year, being at the average rate of by the year, by the yard; and we propose that a moiety of such sum of

pounds shall be levied half-yearly during such years on the county [*or* barony *or* district] of

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. S.* [*or, W. J. S. B.*] County Engineer.]

The Specification must contain distinct details of the quantity, size and kind of materials to be used, and the mode of using them; and must state the proposed form and clear width of the road to be kept in repair, and the width to be covered with small stones, gravel or pavement.

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. S.* [*or, E. F.*]

25.—By Contractor for Payment for keeping a Road in Repair.

Barony [*or*, District] of County of

WHEREAS at Assizes in the year One thousand eight hundred and Thirty a Presentment was fiated for keeping in repair for years, by contract, yards of the road from to between and all in this barony [*or*, district]: And whereas under such Presentment I contracted to keep in repair for years such yards, for the sum of pounds by the half-year; Now having kept such yards and all parts thereof in good repair [*add, if necessary*, except] according to my contract since [*insert the time specified for that purpose in the contract, or the date of the last account (if any) which was allowed by the County Board*], and having faithfully endeavoured to keep such yards of road free from nuisances, I hereby apply for payment of the sum of pounds, pursuant to such contract.

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. K.*, Contractor.

26.—Notice for summoning an extraordinary Special Sessions, or Meeting of the Committee, or of any Sub-Committee of Superintendence.

NOTICE.

Barony [*or*, District] of County of

AN extraordinary Special Sessions [*or*, Meeting of the Committee of Superintendence] [*or*, Meeting of the Sub-Committee for superintending] will be held at the County Court House [*or*, other place of meeting] on the day of One thousand eight hundred and at o'clock in the forenoon for [*state the objects*], pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty

[Signed by five Committee-men or three Sub-Committee-men (*as the case may be*) with their residences.]

27.—Account of Property vested in the Committee of Superintendence.]

County of

	£. s. d.		£. s. d.
Lands at producing	-	{a year, and for the half year ending of 183	-
Houses „	-		- - - - - -
Interest of money „	-		- - - - - -
Legacy left by „	-		- - - - - -
Tolls on „	-		- - - - - -
Rates for „	-		- - - - - -
Balance in County Bank	-		- - - - - -

Carts valued at £.

Barrows - - -

&c. &c.

WE certify, That the above is a full and particular account of all property vested in the Committee of Superintendence in this county, and of the value thereof, pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty

[Signed by two members of the Committee of Superintendence.]

28.—Form

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28.—Form of Presentments.

At a meeting of the County Board for the county of , held at on the day of One thousand eight hundred and Thirty and the following days, pursuant to an Act passed in the year of the reign of William the Fourth, and intituled, "An Act for the administration of certain Civil Affairs of a local nature by County Boards in *Ireland*," presentments are made as follows, namely—

For appointing the Bank of [*state the name of the bank*] to be the County Bank.

„ The [*state the name of the newspaper*] to be the county newspaper.

„ *M. M.* of to be Secretary of the County Board, &c. &c.

„ *B. D.* of to be Collector of County Rates for the Barony [*or*, District] of , and to receive a poundage of [*not exceeding Nine-pence*] on the sums by him duly collected and placed to the credit of the county.

„ *L. P.* of , *R. S.* of , *S. D.* of , &c. to be members of the Committee of Superintendence.

„ *L. P.*, *M. S.*, &c. to be members of the Sub-Committee for superintending the

„ *L. R.* of , &c. to be Commissioners for the erection of [*or*, executing] [*state the public work*], and to receive each the sum of pounds as a remuneration for his services, with power to such Commissioners, with the approval of the Board of Public Works in Ireland, to impose rates and to determine the mode of levying the same, for defraying the expenses of such Commission.

For forming a District, to be called "the District of ," and to comprise [*state the parishes or townlands or other denominations.*]

For fixing to be the place for holding Special Sessions for the barony [*or* district] of , and to be the place for posting notices for the same, and to be the place for posting notices for the parish of .

„ The day of One thousand eight hundred and Thirty , at o'clock, to be the time for a meeting of the Committee of Superintendence [*or* Sub-Committee for superintending] at [*place*].

For levying on the county [*or* barony *or* district of] the sum of pounds for opening a new road from to between and in the barony [*or* district] of , according to the map, plans, sections and specifications approved of and allowed at this meeting; [*add, if necessary,* such sum of pounds [*or* pounds and the interest thereof,] to be so levied by half yearly [*or* by half yearly] instalments of pounds each, [*or,* and by a final half years' instalment of pounds], the first instalment to be levied after this present meeting of the County Board, and the remaining instalments after every successive meeting thereof, until the whole of such sum of pounds shall be so levied [*or* until the interest for the time being due in the first place, and the whole of such sum of pounds in the next place, shall be so levied].

N.B. By this form each instalment for repayment of the loan may be applied (if the parties so arrange it) in the first place in the discharge of all interest due at the time, and then in reducing the principal.

„ on the county the sum of pounds for the expenses of the Committee of Superintendence and the Sub-Committees thereof.

For levying on the barony [*or* district] of the sum of pounds being the amount of the Poundage due to *B. D.* on the sums by him collected within the same since Assizes One thousand eight hundred and Thirty , and placed to the credit of the county.

For selling [*state the hereditaments*] vested in the Committee of Superintendence.

29.—Warrant of Arrest of a Person obstructing the Proceedings of the Special Sessions or County Board.

County of to wit. } WHEREAS *A. M.* of did by [*specify the offence*] on the day of One thousand eight hundred and Thirty- , wilfully obstruct the proceedings of the Special Sessions [*or* County Board] when assembled pursuant to the of WILLIAM the Fourth, chapter at in this county, and was therefore adjudged by the said Special Sessions [*or* County Board] to forfeit pounds, and to pay the same forthwith to the Secretary of the County Board for the use of the county, which sum is still unpaid: You are, therefore, under the same Act, hereby ordered to arrest the said *A. M.*, and deliver him to the keeper of the Gaol [*or* House of Correction] of the county, together with the subjoined Warrant of Committal. Given under my hand and seal at in this county, this day of One thousand eight hundred and Thirty-

Chairman of the Special Sessions [*or* County Board] } *C. F.* *L. S.*

N. B. The Forfeiture cannot exceed Five Pounds, nor the term of Imprisonment Ten Days.

30.—Warrant of Committal for Non-payment of Forfeiture.

County of to wit. } To the Keeper of the Gaol [*or* House of Correction] of the County. WHEREAS *A. M.* of did by [*specify the offence*] on the day of One thousand eight hundred and Thirty , wilfully obstruct the proceedings of the Special Sessions [*or* County Board] when assembled pursuant to the of WILLIAM the Fourth, chapter at in this county, and was therefore adjudged by the said Special Sessions [*or* County Board] to forfeit pounds, and to pay the same forthwith to the Secretary of the County Board for the use of the county, which sum is still unpaid: You are, therefore, under the same Act, hereby ordered to receive into the said Gaol [*or* House of Correction] the said *A. M.*, and detain him for [*specify the time*], if the said forfeiture so long remain unpaid. Given under my hand and seal at in this county, this day of One thousand eight hundred and Thirty-

Chairman of the Special Sessions [*or*, County Board.] } *C. F.* *L. S.*

N. B. The time of Imprisonment cannot exceed Ten Days.

31.—Recognizance by the County Treasurer, or Collector, or Contractor.

County of [*or*, Barony or District of County of .]

BE it Remembered, That on the day of One thousand eight hundred and Thirty , *E. R.* [*or, T. K.*] of in this county, esquire, *R. U.* of in the county of , Esquire, and *S. S.* of in the county of , merchant, before us severally acknowledged themselves to owe to His Majesty WILLIAM the Fourth each the sum of pounds sterling, to be levied to the use of His Majesty and his successors, subject to the following condition:—

Condition in case of a County Treasurer or Collector.

THE condition of the above recognizance is, that if a certificate of the fulfilment thereof shall be delivered pursuant to an Act passed in the year of the reign of

of WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of a local nature by County Boards in *Ireland*;" and the above bound *E. R.* shall in the meantime discharge all the several duties by law required of him as Treasurer of the county of [*or* Collector for the barony *or* district of], then the above recognizance shall be void; otherwise the same shall, on any default in the discharge of such duties, be in full force.

Condition in case of a Contractor.

WHEREAS *T. K.* of did, on the day of One thousand eight hundred and Thirty , contract [*set out the contract*]; and it was thereby agreed that every dispute arising thereout between the said *T. K.* or his representatives and the Committee of Superintendence for the county of shall be referred to the award of the majority of three uninterested persons, one to be chosen by the said *T. K.* or his representatives, another by the Committee of Superintendence, and another by the two Referees first chosen; and the award of such majority delivered to the parties in difference within two calendar months after such reference shall be final; and if either party in difference shall omit to choose a referee within six days after notification to such party of the choice of a referee by the other party in difference, the referee so omitted shall be chosen by two Justices of the Peace for the county, and shall have as full power as if he had been chosen by the party so omitting; and the parties in difference shall enter into such bonds of submission, which shall be made a rule of court, as such majority shall direct.

The condition of the above recognizance is, that if a certificate of the fulfilment thereof shall be delivered pursuant to an Act passed [*&c., as above*], and the above bound *T. K.* shall in the meantime, in all respects faithfully perform the contract and agreement so entered into by him, then the above recognizance shall be void; otherwise the same shall, on any default in such performance, be in full force.

(signed) *E. R.* [*or T. K.*] (L. S.)
R. U. (L. S.)
S. S. (L. S.)

Acknowledged before us, at a Meeting of the County Board [*or*, Special Sessions for the barony [*or*, district] of ,] held at on the day of One thousand eight hundred and Thirty

(signed) *C. F.* } Justices of the Peace
E. D. } for the County.

32.—Certificate of the above Recognizance having been duly recorded or deposited.

County of [*or* Barony *or* District of , County of .]

I certify, That the Recognizance from *E. R.*, as Treasurer of the county of [*or* Collector for the barony *or* district], [*or* Contractor for [*state the public work*] [*if there be sureties, add,* and his sureties,] has been duly recorded in the Court of Exchequer [*or*, deposited with me] pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty

(signed) *A. B.*, of the Court of Exchequer.
[*or*, *M. M.*, Secretary of the County Board.]

33.—Certificate of the fulfilment by a County Treasurer, Collector or Contractor, of the condition of his Recognizance.

County of [*or* Barony *or* District of , County of .]

I [*or* We] hereby certify, That *E. R.*, of , has discharged the several duties by law required of him as Treasurer of the county of , [*or* Collector for the barony [*or* district,] [*or* has performed the contract entered into by him for [*state the work.*]

Dated this day of One thousand eight hundred and Thirty

(signed) *W. T.*, Judge of Assize.

[*or* *L.*, *M.*, *N.* } Committee of Superintendence.]

34.—Treasurer's Certificate and Warrant.

Barony [*or*, District] of County of

I certify, That under Presentments fiated at the last Assizes for the county, the following sums are now to be levied within the barony [*or*, district], namely

——	Sums to be levied. £. s. d.	——	Poundage. In figures.	Poundage. In letters.	——
On the Barony [*or*, District], being its proportion of Pounds which is now to be levied on the County - - - - -	— — —	which amounts to	5 *d.*	five-pence	In the pound on the annual value.
On the Barony [*or*, District] exclusively - - - - - -	— — —	- „ -	4 *d.*	four-pence	
On the Parish of *A.* exclusively -	— — —	- „ -	2 *d.*	two-pence	
On the Townland of *M.* in the same Parish - - - - -	— — —	- „ -	3 *d.*	three-pence	
On the Parish of *B.* exclusively -	— — —	- „ -	3 *d.*	three-pence	
Total - - - £.	— — —				

Dated this day of One thousand eight hundred and Thirty .

(signed) *E. R.*, Treasurer.

By this Warrant I require you to collect and pay, pursuant to the of William the Fourth, chapter the several sums, amounting to pounds, so to be levied within the barony [*or*, district] according to the above Certificate.

Dated this day of One thousand eight hundred and Thirty .

(signed) *E. R.*, Treasurer of the County,

To *B. D.*, Collector of County Rates. (L. S.)

35.—Notice to be given by Collector to Occupiers within a Denomination.

NOTICE.

Townland of *M.*, Barony [*or*, District] of County of

I, or one of my deputies will attend at on the day of One thousand eight hundred and Thirty , and at on the day of [*as the case may be*] to receive the sum of pounds, which under Presentments fiated at assizes, One thousand eight hundred and Thirty , must be levied on the townland [*add, as the case may be,*] being fourteen pence in the pound on the annual value thereof, according to the certificate of the County Treasurer relative thereto, of which the following is a copy.

Dated this day of One thousand eight hundred and Thirty .

(signed) *B. D.* Collector of County Rates.

(Copy.)

Barony [*or*, District] of County of

I certify, That under Presentments passed at the last Assizes for the County, the following sums are now to be levied within the Barony [*or*, District]; namely

——	—— £. s. d.	——	Poundage. In figures.	Poundage. In letters.	——
On the Barony [*or*, District] being its proportion of Pounds which is now to be levied on the County - - - - -	— — —	which amounts to	5 *d.*	five-pence	In the pound on the annual value.
On the Barony [*or*, District] exclusively - - - - - -	— — —	- „ -	4 *d.*	four-pence	
On the Parish of *A.* exclusively -	— — —	- „ -	2 *d.*	two-pence	
On the Townland of *M.* exclusively	— — —	- „ -	3 *d.*	three-pence	

Dated this day of One thousand eight hundred and Thirty .

(signed) *E. R.*, Treasurer.

I certify the above copy to be correct.

(signed) *B. D.*, Collector of County Rates.

36.—Collector's

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36.—Collector's Receipt.

Townland of *M.*, Barony [*or*, District] of County of

Number valued at Ten Pounds a year.

Received from *T. S.*, of , Eleven shillings and Eight-pence, for County Rates, under Presentments fiated at Assizes, One thousand eight hundred and Thirty- , being fourteen pence in the pound on such annual value of the above holding.

Dated this day of One thousand eight hundred and Thirty-

(signed) *B. D.*, Collector of County Rates.

37.—Receipt to be given to County Treasurer.

Barony [*or*, District] of County of

Number of Presentment in the Schedule.	Year.	Assizes.	Amount. £. s. d.
44	183	Spring	
49	183.	Summer	
		Total -	

Received from the Treasurer of the county pounds shillings and pence in full for [*or*, on account of] the amount due to me [*or*] as under the presentments referred to in the margin.

Dated this day of One thousand eight hundred and Thirty-

(signed) *T. K.*

38.—County Engineer's Certificate for an Advance.

Barony [*or*, District] of County of

I certify, That the sum of pounds at least has been faithfully expended in executing [*state the work*] since the commencement [*or*, last advance on account] thereof, pursuant to the contract for the same entered into by *T. K.* of

Dated this day of One thousand eight hundred and Thirty-

(signed) *W. J.*, County Engineer.

39.—County Engineer's Certificate of Completion.

Barony [*or*, District] of County of

I certify, That I have examined [*state the work*] which was contracted for by *T. K.* of and that the same has been duly completed pursuant to such contract.

Dated this day of One thousand eight hundred and Thirty-

(signed) *W. J.*, County Engineer.

40.—Notice for taking Materials or making Drains.

NOTICE.

Barony [*or*, District] of County of

I shall, pursuant to the of WILLIAM the Fourth, chapter take [*state the materials*] from [*or*, make a drain through] [*state the place*] in execution of a presentment fiated at the Assizes One thousand eight hundred and Thirty- for [*state the work.*]

Dated this day of One thousand eight hundred and Thirty-

(signed) *T. K.*, Contractor [*or*, *W. J.*, County Engineer].

To *T. S.* of

41.—Award of Satisfaction for Damage.

Barony [*or*, District] of County of

WHEREAS *A.* of *B.* of and *C.* of were appointed to ascertain the satisfaction to be made to *T. S.* of for the damage done by *T. K.* of in taking [*state the materials*] from [*or*, in making a drain through] [*state the place*] in execution of a presentment fiated at Assizes, One thousand eight hundred and Thirty- for [*state the work*]. Now we, so appointed, award that the sum of pounds shall be forthwith paid by the said *T. K.* to the said *T. S.*, and shall be received as full satisfaction for such damage.

Dated this day of One thousand eight hundred and Thirty-

(signed) *A.* of
B. of

42.—Notice of taking Hereditaments for a Public Work.

NOTICE.

Barony [*or*, District] of County of

[*State the hereditaments*] are required for the execution of [*state the work*] for which a presentment was fiated at the Assizes, One thousand eight hundred and Thirty- ; and the same hereditaments will be taken on behalf of the County Board, pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty-

(signed) *M. M.*, Secretary of the County Board.

To *T. S.* of

43.—Consent that Hereditaments may be taken.

Barony [*or*, District] of County of

I, *T. S.*, being occupier [*or*, in receipt of the rents] of [*state the building, or yard, or garden, surrounded by a wall, or part thereof respectively*] hereby consent that the same may be taken [*or*, used so far as, *state the extent of the use*] for the purposes of a presentment fiated at Assizes One thousand eight hundred and Thirty for [*state the object of the presentment.*]

Dated this day of One thousand eight hundred and Thirty

(signed) *T. S.*

44.—Contract for the purchase or renting of Hereditaments.

Barony [*or*, District] of County of

I, *T. S.*, of hereby contract to ASSURE [*add, if necessary*, for a term of years] to the Committee of Superintendence and their successors acting on behalf of the County Board for the county of ALL in consideration of the sum of to be paid on the execution of such assurance [*or*, of an annual rent of payable half-yearly, on every day of and day of and of the rates and taxes in respect of the same hereditaments being paid; and of the same being repaired and kept in repair] according to an Act made in the year of King WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of a local nature by County Boards in *Ireland*;" and the Committee of Superintendence, on behalf thereof and of their successors, hereby contract to pay such sum of [*or*, rent of and to satisfy such reservations] accordingly.

Dated this day of One thousand eight hundred and Thirty

(signed) *T. S.*,

L., *M.*, *N.* } Members of the Committee of Superintendence.

45.—Deed

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45.—Deed of Assurance to be inrolled.

Barony [*or*, District] of County of

I, *T. S.*, of in consideration of the sum of paid to me [*or*, into the Bank of *Ireland*, [*or*, to *A. B.* and *C. D.*, nominated and approved] pursuant to an Act passed in the year of King WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of alocal nature by County Boards in *Ireland*"] [*or*, of an annual rent of payable to me and my assigns half-yearly, on every day of and day of and of the rates and taxes in respect of the hereinafter mentioned hereditaments being paid; and of the same being repaired and kept in repair] by the Committee of Superintendence acting on behalf of the County Board for the County of hereby ASSURE to such Committee and their successors for ever [*or*, for a term of years, determinable by me or my assigns on non-satisfaction of any of the reservations hereby made] pursuant to an Act passed in the year of King WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of a local nature by County Boards in *Ireland*," [*or*, pursuant to the same Act,] ALL the hereditaments described in the plan on these presents. In witness whereof I and such Committee have hereunto set our hands and seals this day of One thousand eight hundred and Thirty

(signed) *T. S.* (L.S.)
L. (L.S.)
M. (L.S.)
N. (L.S.)

Signed, sealed and delivered in presence of
(Two witnesses.)

46.—Notice to take contiguous Land.

NOTICE.

Barony [*or*, District] of County of

I, *T. S.*, being occupier [*or*, entitled to the receipt of the rents] of [*describe the land*] hereby require the County Board to purchase the same, as being contiguous to [*state the work*] according to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty

(signed) *T. S.*

To *M. M.*, Secretary of the County Board.

47.—Verdict of Jury.

Barony [*or*, District] of County of

A. B. C. &c., being the Jurors impannelled and returned by *P. B.*, High Sheriff [*or*, Coroner] for fixing the amount of compensation [*or*, purchase money] for [*state the hereditaments*] which have been taken for the execution of [*state the public work*] pursuant to the of WILLIAM the Fourth, chapter and having been duly sworn upon their oath, say that the compensation [*or*, purchase money] to be paid for the same hereditaments is with for expenses, as ascertained by the indorsed certificate; and that thereof, with for expenses so ascertained, shall be paid to *U. X.* as occupier thereof [*or*, of *state the part*], thereof, deducting thereout for expenses so ascertained, shall be paid to *W. M.* as leaseholder thereof [*or*, of *state the part*], and thereof, with for expenses so ascertained, and for further expenses to be occasioned under the same Act, shall be paid for the fee simple thereof, subject to the foregoing interests.

Dated this day of One thousand eight hundred and Thirty

(signed) *A.*
B.
C. &c.
P. B., Sheriff [*or*, Coroner.]

N.B.—The further expenses are to include those to be probably occasioned by the payment of compensation into Court, or to trustees, the investment of same in one purchase and settlement of hereditaments, and in stock in the meantime, and the necessary proceedings (if any) in Court.

48.—Offer by Committee of Superintendence to sell Hereditaments.

Barony [*or*, District] of County of

THE Committee of Superintendence for the county offer to sell to you [*state the hereditaments*] which are vested in them by virtue of the of WILLIAM the Fourth, chapter and are not required for the purposes thereof.

Dated this day of One thousand eight hundred and Thirty

(signed) *L.*, *M.*, *N.* } Committee of Superintendence.

To *T. S.*, of

49.—Affidavit of Offer by the Committee of Superintendence to sell Hereditaments.

Barony [*or*, District] of County of

I, *M. M.*, Secretary [*or*, Member] of the County Board, swear that an offer was made on behalf of the Committee of Superintendence to sell [*state the hereditaments*] to *U. X.*, being the party [*or*, *U. X.*, *W. M.*, &c., being all of the parties] in receipt of the rents thereof [*or*, in case such hereditaments shall have been taken by the Committee within the ten previous years, who would have been in receipt of the rents thereof if the same had not been taken by such Committee], [*add if necessary*, and afterwards to *L. M.*, being the party] [*or*, *L. M.*, *N. O.*, &c., being all of the parties] in receipt of the rents of all the adjoining hereditaments], and that such offer was [*or*, offers were] not accepted within Thirty days after the same was [*or*, were respectively] made; and that I am not interested in the hereditaments so offered for sale.

Sworn before us at Petty Sessions at on the day of One thousand eight hundred and Thirty

(signed) *C. F.*
E. D.

(signed) *M. M.*

50.—Receipt for Purchase-money.

Barony [*or*, District] of County of

RECEIVED from *A. B.* of the sum of the same having been placed by him in the County Bank to the credit of the county, and being the consideration for [*state the hereditaments*] purchased by him from the Committee of Superintendence pursuant to the of WILLIAM the Fourth, chapter and to a Presentment fiated at Assizes, One thousand eight hundred and Thirty under the same Act.

Dated this day of One thousand eight hundred and Thirty

(signed) *L.*, *M*, *N.* } Members of the Committee of Superintendence.

51.—Treasurer's Certificate of Non-Payment.

Barony [*or*, District] of County of

I certify, That by a contract entered into between the Committee of Superintendence and *A. B.* [*or*, by the verdict of a jury duly impannelled] on the day of One thousand eight hundred and Thirty , the sum of pounds was ascertained to be the purchase money for [*state the hereditaments*] which were sold pursuant to the of WILLIAM the Fourth, chapter , and that such sum of pounds has not been paid pursuant to the same Act.

Dated this day of One thousand eight hundred and Thirty

(signed) *E. R.*, Treasurer of the County.

52.—Sub-Committee's

52.—Sub-Committee's Warrant to Sheriff or Coroner.

Barony [*or*, District] of County of .

You are hereby required to impannel, summon and return not less than Forty-eight nor more than Sixty substantial persons, qualified to serve on Juries in the county, from whom a jury will be drawn at in this county, at of the clock, on the day of One thousand eight hundred and Thirty , for fixing the amount of compensation [*or*, purchase-money] to be paid [*or*, received] by the Committee of Superintendence for [*state the hereditaments*] which are to be taken [*or*, sold] on behalf of the County Board, pursuant to the of WILLIAM the Fourth, chapter .

Dated this day of One thousand eight hundred and Thirty .

(signed) *L.*, *M.*, *N.* Sub-Committee for superintending the execution of Public Works in the county.

To *P. B.* High Sheriff [or Coroner] of the County.

53.—Notice by Secretary of the County Board.

Barony [*or*, District] of County of

NOTICE.

A jury will be impannelled on the day of at for fixing the amount of compensation [*or*, purchase-money] to be paid for [*state the hereditaments*] pursuant to the of WILLIAM the Fourth, chapter .

Dated this day One thousand eight hundred and Thirty- .

To *T. S.* of (signed) *M. M.*, Secretary of the County Board.

54.—Summons to Witnesses.

Barony [*or*, District] of County of

You are hereby required, on behalf of the Sub-committee of Superintendence, [*or*, of *A. B.*] to attend at on the day of at of the clock, to give evidence before the jury to be then and there impannelled, for fixing the amount of compensation [*or*, purchase-money] to be paid [*or*, received] by the County Board for [*state the hereditaments.*]

Dated this day of One thousand eight hundred and Thirty- .

(signed) *P. B.* High Sheriff [*or*, Sub-Sheriff] [*or*, Coroner] of the County.

To *X. Y.* of

55.—Certificate of Expenses to be indorsed on Verdict.

Barony [*or*, District] of County of

I certify, That the expenses occasioned by submitting to a jury the question of compensation [*or*, purchase-money], for the hereditaments within mentioned amount to to the sum of pounds, and that such expenses are to be apportioned as follows; namely, pounds to be paid to *U. X.* in respect of [*state the hereditaments*]; pounds to be paid by *W. M.*; pounds to be paid to *Y. Z.* being tenant for life of [*state the hereditaments*].

Dated this day of One thousand eight hundred and Thirty- .

(signed) *P. B.* High Sheriff [*or*, Sub-Sheriff] [*or*, Coroner.]

56.—Commissioners' Certificate of Qualification.

Barony [*or*, District] of County of

I, *A. B.* having been appointed a Commissioner for [*state the objects of the Commission*] under an Act passed in the year of the reign of WILLIAM the Fourth, and intituled, "An Act for the Administration of certain Civil Affairs of a Local Nature by County Boards in *Ireland*," certify that I am *bonâ fide* possessed [*or*, am heir apparent of *C. D.* who is possessed] for my [*or*, his] [*or*, my wife's] exclusive benefit, of a clear annual income of at least Two hundred pounds arising from tenements situate at in the county of in *Ireland* [*or*, am *bonâ fide* possessed for my exclusive benefit of the clear annual income arising from Five thousand Pounds in personal property above all my just debts and incumbrances], and that such income or any part thereof has not been assured to me [*or*, *C. D.*] for the purposes of the same Act; and I solemnly promise as such Commissioner to inquire into and determine all matters that shall be brought before me, and to exercise the powers vested in me, faithfully, without favour or malice, and according to the best of my judgment.

Dated this day of One thousand eight hundred and Thirty

(signed) *A. B.* Commissioner.

57.—Consent to an extension of the powers of a Commission.

Barony [*or*, District] of County of

WHEREAS *A. B. C. et cætera* were at the Assizes One thousand eight hundred and Thirty appointed by the County Board to be Commissioners for [*state the objects and limits of the Commission*] Now by these presents I [*or*, we] *D. L.* of being in receipt of the rents of the hereditaments which are described in the Plan on these presents, and are situate in this county, and within two miles of the original limits of such Commission [*if any party be entitled as ecclesiastical incumbent, add*, And I, *P. S.* being Patron or Ordinary of the benefice of whereof the same hereditaments are part] consent that the powers of such Commissioners shall be extended to the same hereditaments.

Dated this day of One thousand eight hundred and Thirty

(signed) *D. L.*

58.—Assurance or Mortgage of Hereditaments to pay the expenses of an Award.

Barony [*or*, District] of County of

WHEREAS *A. B. C. et cætera*, appointed at Assizes One thousand eight hundred and Thirty by the County Board to be Commissioners for [*state the objects of the Commission*] did by their Award dated the day of One thousand eight hundred and Thirty , consent that the sum of pounds should be raised by sale [*or* mortgage] of the hereditaments hereinafter mentioned towards payment of the expenses occasioned by such Award in respect of the hereditaments thereby allotted to me [*or*, us] and which are not defrayed with the produce of sales made by such Commissioners; Now I [*or*, we] *D. L.* of being in receipt of the rents of the same [*or*, of undivided part of the same] hereditaments, Do hereby in consideration of the sum of pounds paid by *X. S.* of on my [*or*, our] behalf to such Commissioners, ASSURE by way of sale [*or*, mortgage] ALL the hereditaments described in the plan on these presents to the same *X. S.* and his heirs [*or*, executors administrators and assigns for the term of years] [*add in case of mortgage*, unless such sum of pounds with interest thereon at the rate of pounds for One hundred pounds by the year be repaid to him or them before the day of One thousand eight hundred and Thirty]

In witness whereof, et cætera, this day of One thousand eight hundred and Thirty

(signed) *D. L.* (L. S.)

Signed sealed and delivered by the within named *D. L.* in presence of Two witnesses.

59.—Certificate

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59.—Certificate of Individual Assessments within a Denomination.

Townland of Barony [*or*, District] of County of .

WHEREAS the Committee of Superintendence appointed *P. W.* of , *S. B.* of and *P. E.* of to fix the proportions in which individual assessments shall be made within the above denomination: Now we, the said *P. W.* and *S. B.* certify, that the County-Rates which shall from time to time be charged on the same denomination, shall be payable out of the several tenements therein, in the proportions following, namely:

The tenement occupied by *A. B.* shall pay one-third part.
" " *C. D.* - one-fourth.
" " *E. F.* - one-fourth.
" " *G. H.* - one-sixth.

(signed) *P. W.*
S. B.

Sworn before us at Petty Sessions, in the county this day of One thousand eight hundred and Thirty-

(signed) *C. F.*, *E. D.* } Justices of the Peace.

60.—Advertisements relative to a Valuation.

NOTICE.

Barony [*or*, District] of County of .

THE valuation of the barony [*or*, district] of made under the of WILLIAM the Fourth, chapter , and amended [*or*, finally arranged] by the Sub-Committee for superintending the levying and application of money, will be deposited with the Secretary of the County Board, the Treasurer of the County, the County Engineer and the Collector for the barony [*or*, district] of for one calendar month from the day of One thousand eight hundred and Thirty , for public examination, pursuant to the same Act.

Dated this day of One thousand eight hundred and Thirty-

A., *B.*, *C.* } the Sub-Committee.

61.—Notices of Traverse.

NOTICE.

Barony [*or*, District] of County of

THE Presentment of the County Board for [*state the public work*] will be traversed by me, as I am [*or*, act on behalf of *C. D.*, who is] interested in [*state the hereditaments specially affected by such work*] and consider such work to be unnecessary.

Dated this day of One thousand eight hundred and Thirty

(signed) *T. S.*, of

To *M. M.*, Secretary of the County Board.

[*or*]

The presentment for passing the account of *T. K.*, as contractor for [*state the public work, or other subject of account*], will be traversed by me, as I am [*or*, act on behalf of *C. D.*, who is] a rate-payer, liable to pay county rates in discharge of such account, and consider the same to be incorrect [*state the grounds of objection*].

Dated this day of One thousand eight hundred and Thirty

(signed) *T. S.*, of

To *M. M.*, Secretary of the County Board [*or*, *T. K.*, Contractor, &c.]

62.—Recognizance by Traverser.

Barony [*or*, District] of County of

BE it Remembered, That on the day of One thousand eight hundred and Thirty *T. S.*, of in this county, farmer, before me [*or*, us] acknowledged himself to owe to His Majesty WILLIAM the Fourth the sum of pounds sterling, to be levied to the use of His Majesty and his successors, subject to the following condition:—

The condition of the above recognizance is, that if the above bound *T. S.* shall duly prosecute his traverse of the presentment for [*state the public work*] [*or*, passing the account of *T. K.*], then such recognizance shall be void.

Acknowledged before me [*or*, us] at Assizes [*or*, Special Sessions], this day of One thousand eight hundred and Thirty

(signed) *T. S.* (L. S.)

(Signed) *W. T.*, {*or*, *C. F.*, / *E. D.*,} Justices of the Peace.

63.—CONVICTION.

County of } AT the Petty Sessions held at , *A. M.*, of having been duly summoned [*or*, being present], is this day on the testimony of *D. C.*, of [*or*, on his own confession] convicted before us, under an Act passed in the year of WILLIAM the Fourth, and intituled, "An Act, &c." of having [*specify the offence*], on the day of One thousand eight hundred and Thirty [*or*, between the day of and the day of], at in the county of and we hereby adjudge the said *A. M.* for such offence to forfeit the sum of and to pay the same with costs, before the day of One thousand eight hundred and Thirty according to the same statute. Given under our hands and seals this day of One thousand eight hundred and Thirty

Justices of the Peace, {*C. F.* (L. S.) / *E. D.* (L. S.)

N.B. The forfeitures cannot exceed £

Costs - - - - £

64.—Warrant of Distress for a Forfeiture.

County of } WHEREAS *A. M.* of was convicted before us [*or*, to wit. } *R. N.* and *S. R.*, Justices of the Peace for the county] of having [*specify the offence*], and therefore adjudged to forfeit pounds, and to pay the same, with costs, before the day of One thousand eight hundred and Thirty . You are therefore, under the of WILLIAM the Fourth, chapter , hereby ordered on non-payment thereof to levy such sums, with pounds additional costs, by distress and sale of the goods of the said *A. M*, rendering to him the overplus (if any) of such sale. Given under our hands and seals at Petty Sessions in this county, this day of One thousand eight hundred and Thirty

Justices of the Peace for the County } *C. F.* (L. S.) / *E. D.* (L. S.)

N.B. The additional costs cannot exceed Pounds.

To the Chief and other constables in the County.

65.—Warrant

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65.—Warrant of Arrest for want of Distress.

County of to wit. } WHEREAS upon the return of the Warrant of Distress issued on the day of One thousand eight hundred and Thirty , against the goods of *A. M.* of , it was proved to us by the testimony of *D. Y.* of , that sufficient distress could not be so had: You are therefore, under the of WILLIAM the Fourth, chapter , hereby ordered to arrest the said *A. M.* and deliver him to the Keeper of the Gaol [*or*, House of Correction] of the county, together with the subjoined Warrant of Committal. Given under our hands and seals at Petty Sessions in the county, this day of One thousand eight hundred and Thirty .

Justices of the Peace for the County { *C. F.* (L. S.) *D. E.* (L. S.)

To the Chief and other Constables in the County.

66.—Warrant of Committal for Non-payment of Forfeiture.

County of to wit. } To the Keeper of the Gaol [*or*, House of Correction] of the County.

WHEREAS *A. M.* of was on the day of One thousand eight hundred and Thirty convicted before us [*or*, *R. N.* and *S. R.*, Justices of the Peace for the county] of having [*specify the offence*], and was therefore adjudged to forfeit pounds, and to pay the same, with costs, before the day of One thousand eight hundred and Thirty , which sums are still unpaid: You are therefore, under the of WILLIAM the Fourth, chapter hereby ordered to receive into the said Gaol [*or*, House of Correction] the said *A. M.* and detain him for [*specify the time*] if the said forfeiture and costs so long remain unpaid. Given under our hands and seals at Petty Sessions in the county, this day of One thousand eight hundred and Thirty .

Justices of the Peace for the County { *C. F.* (L. S.) *D. E.* (L. S.)

N.B. The time of imprisonment cannot exceed two calendar months.

67.—Notices of Appeal.

1.—Notice of Appeal to the Petty Sessions against the Collector's List.

NOTICE.

Barony [*or*, District] of , County of .

I shall appeal to the Petty Sessions at on the day of One thousand eight hundred and Thirty , on account of the list of Rate-payers which was posted on the day of at in this barony [*or*, district] not being [*or*, containing] [*specify the subject and ground of appeal*] pursuant to the of WILLIAM the Fourth, chapter

Dated this day of One thousand eight hundred and Thirty .

(signed) *T. S.* [*add the residence*].

To *B. D.* Collector for the Barony [*or*, District] of .

2.—Notice of Appeal to the County Board against a Valuation.

NOTICE.

Barony [*or*, District] of , County of .

I shall appeal to the County Board at the next meeting thereof against the valuation of the barony [*or*, district] [*or*, denomination] of under the of

WILLIAM the Fourth, chapter , on account of the name [*or*, denomination, or tenement] *A. M.* being inserted therein instead of *N. R.* [*or*, being omitted therein] [*or*, th e denomination or tenement *A.* being overvalued in comparison with *P.*]

Dated this day of One thousand eight hundred and Thirty
(signed) *T. S.* [*add the residence.*]

To *M. M.*, Secretary of the County Board,
[*or*, *B. D.*, Collector for the Barony [*or*, District] of .]

3.—Notice of Appeal to the Quarter Sessions against a decision of Commissioners.

NOTICE.

Barony [*or*, District] of , County of .

I shall appeal to the General Quarter Sessions for the County, to be held at in the month of , One thousand eight hundred and Thirty , against the decision made in respect of [*state the subject of appeal*] by the Commissioners appointed by the County Board for [*state the objects of the Commission*], preparatory to their award, on account of such decision [*state the ground of appeal.*]

Dated this day of , One thousand eight hundred and Thirty
(signed) *T. S.* [*add the residence.*]

To *A. B. C.*, &c., Commissioners.

4.—Notice of Appeal to the Quarter Sessions against a Conviction.

NOTICE.

Barony [*or*, District] of , County of .

I shall appeal to the General Quarter Sessions for the County, to be held at in the month of , One thousand eight hundred and Thirty , against the conviction of me by *C. F.* and *E. D.*, Justices of the Peace, as having [*specify the offence alleged.*]

Dated this day of , One thousand eight hundred and Thirty
(signed) *A. M.* [*add the residence.*]

To *J. B.*, Clerk of Petty Sessions.

5.—Notice of Appeal to the Board of Public Works.

NOTICE.

Barony [*or*, District] of , County of .

I shall appeal to the Board of Public Works in *Ireland* against the disallowance of my account at Special Sessions [*or*, Assizes], in respect of [*state the items disallowed.*]

Dated this day of , One thousand eight hundred and Thirty
(signed) *T. K.*, Contractor [*or* .]

To *M. M.*, Secretary of the County Board.

68.—Recognizance by Appellant.

Barony [*or*, District] of , County of .

BE it Remembered, That on the day of , One thousand eight hundred and Thirty , *T. S.*, of in this county, farmer; *A. C.*, of in this county, shopkeeper; and *S. S.*, of in the county of , merchant, before me severally acknowledged themselves to owe to His Majesty

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Majesty WILLIAM the Fourth each the sum of pounds sterling, to be levied to the use of His Majesty and his successors, subject to the following condition:—

The condition of the above recognizance is, that if the above bound *T. S.* shall duly prosecute and abide by the issue of his appeal against [*state the particulars of appeal*], then such recognizance shall be void.

(signed) *T. S.* (L. S.)
A. C. (L. S.)
S. S. (L. S.)

Acknowledged before me at this day of , One thousand eight hundred and Thirty

(signed) *C. F.*, Justice of the Peace for the County.

69.—Order to the Collector to amend his List.

Barony [*or*, District] of County of

WHEREAS it has been proved to us by the testimony of of that the name of of is improperly omitted [*or*, the sum of pounds annexed to the name of of is erroneous] in the list of Rate-payers, posted on the day of at under the of WILLIAM the Fourth, chapter ; We therefore hereby order you in such list to insert the name of next before [*or*, after] the name of [*or*, to annex the sum of pounds instead of pounds, to the name of]. Given under our hands and seals this day of One thousand eight hundred and Thirty- , at Petty Sessions.

Justices of the Peace for the County. } *C. F.* (L. S.) *E. D.* (L. S.)

To *B. D.*, Collector for the barony [*or*, district] of

70.—DISSENT.

Barony [*or*, District] of County of

WE, *A. B.* of *C. D.* of &c., being in receipt of the Rents of the Hereditaments respectively annexed to our names [*add, if necessary*, and We, *G. H.* of and *I. K.* of acting respectively on behalf of *L. M.* of , and *N. O.* who are in receipt of the Rents of the Hereditaments respectively annexed to their [*or*, our] names,] hereby dissent from the execution [*or*, maintenance] of [*describe the public Work*], the expenses whereof are proposed to be charged on the above-mentioned and other hereditaments, which together form part of the above Barony [*or*, District.]

Dated this day of One thousand eight hundred and Thirty-

(signed) *A. B.* { In receipt of the rents of containing A. R. P., [*or*, annual value, according to WILL. IV. c. £. s. d.]

G. H. { Acting on behalf of *L. M.* who is in receipt of the rents of

To *M. M.*, Secretary of the County Board.

SCHEDULE (B.)

REMUNERATION to PUBLIC OFFICERS, and the SECURITIES (if any) to be given by them.

OFFICERS.	REMUNERATION.	CLASSES. I.	II.	III.	IV.	V.	VI.	VII.
		£.	£.	£.	£.	£.	£.	£.
1. Treasurer of the County	Annual Salary, but payable half-yearly	554	370	324	230	185	150	100
2. Clerk of the Peace	ditto ditto	554	370	324	300	277	93	42
3. Clerk of the Crown	ditto ditto	500	400	350	250	200	80	50
4. Secretary of the County Board	ditto ditto	400	300	250	200	150	60	50
5. County Engineer	ditto ditto	500	450	400	350	200	150	50
6. Assistant Engineer	ditto ditto	300	250	225	200	100	—	—
7. Sheriff	ditto ditto	120	100	80	70	60	25	10
8. Inspector of Prisons	Annual Salary (but payable half-yearly) not exceeding	80	70	60	50	50	30	20
9. Keeper of the County Gaol	ditto ditto	—	—	—	—	—	—	—
10. Keeper of the Penitentiary or House of Correction.	ditto ditto	—	—	—	—	—	—	—
11. Surgeon or Physician of County Gaol	ditto ditto	80	80	70	70	60	50	40
12. Surgeon or Physician of County Infirmary	ditto ditto	70	70	60	60	50	40	30
13. Chaplain of Prison - Established Church	ditto ditto	70	50	40	40	35	20	15
14. Ditto - - - - - Roman Catholic	ditto ditto	70	50	40	40	35	20	15
15. Ditto - - - - - Presbyterian	ditto ditto	70	50	40	40	35	20	15
16. Apothecaries of do. exclusive of Medicines	ditto ditto	40	40	35	30	30	25	20
17. Matrons of ditto	ditto ditto	40	35	30	25	20	15	10
18. Keeper of Bridewell	ditto ditto	—	—	—	—	—	—	—
19. Clerk to the County Engineer	ditto ditto	50	40	35	30	25	20	10
20. Court-house Keeper in County Town	ditto ditto	20	15	15	10	10	10	6
21. Judge's Crier	ditto ditto	20	15	12	10	10	5	4
22. Assistant Barrister's Crier	ditto ditto	30	20	15	12	15	10	6
23. Turnkey	ditto ditto	—	—	—	—	—	—	—
24. Interpreters, each	ditto ditto	—	—	—	—	—	—	—
A Coroner	A sum not exceeding £.5 for any one Inquest since the preceding Meeting of the County Board, nor at any one Meeting, exceeding in the whole	40	40	35	30	30	20	10
A Member of the Committee of Superintendence	A sum not exceeding £.1 for every day while engaged in transacting the business of such Committee	—	—	—	—	—	—	—
Treasurer of the County	Security	3,000	2,500	2,000	1,500	1,000	1,000	1,000
Coroners	Number of not exceeding	4	4	3	2	2	2	1

Class I. comprises Counties of which the Population exceeds 500,000 (namely)
Cork, if undivided; so far as regards Officers who act for the whole County.

Class II. comprises Counties of which the Population exceeds 300,000 and is less than 500,000, (namely)
1. Antrim,
2. Donegal,
3. Down,
4. Galway,
5. Mayo,
6. Tipperary,
7. Tyrone.

Class III. comprises Counties and Counties of Cities of which the Population exceeds 200,000 and is less than 300,000 (namely)
1. Armagh,
2. Cavan,
3. Clare,
4. Dublin, County of the City of,
5. Kerry,
6. Limerick,
7. Londonderry,
8. Roscommon.

Class IV. comprises Counties of which the Population exceeds 150,000 and is less than 200,000, (namely)
1. Dublin, County of,
2. Fermanagh,
3. Kilkenny,
4. King's County,
5. Leitrim,
6. Meath,
7. Monaghan,
8. Queen's County,
9. Sligo,
10. Waterford,
11. Wexford.

Class V. comprises Counties and Counties of Cities of which the Population is less than 150,000, (namely)
1. Carlow,
2. Cork, County of the City,
3. Kildare,
4. Longford,
5. Louth,
6. Westmeath,
7. Wicklow.

Class VI. comprises Counties of Cities and Towns of which the Population exceeds 20,000 (namely)
1. Galway,
2. Kilkenny,
3. Limerick,
4. Waterford.

Class VII. comprises—
1. Carrickfergus,
2. Drogheda.

Every Collector of a Barony (or District) is to receive a Poundage, to be determined by the County Board, but not exceeding Nine-pence, on the sum by him collected and paid into the County Bank or to the Treasurer, pursuant to this Act and to the Treasurer's Warrant; and also a Poundage of One Shilling for distress, to be paid by the party in arrear.

N.B.—Every Clerk of the Crown, Sheriff and Judge's Crier is to receive an additional half-year's Salary in case of a Special Commission in the County. Those Officers who act only for one of the Ridings of the County of *Cork* are to be considered as included in Class II. The Clerks of the Crown in the Towns of *Youghal* and *Kinsale* are to receive an annual Salary of £.25 each, one half to be presented by the County Board for the County of *Cork* at every meeting thereof. Any Officer executing the duties of his office for two Counties shall receive only two-thirds of the salary to which he would have been otherwise entitled in each County. As far as regards the Engineers and the Clerk to the County Engineer, the County of *Kerry* is to be considered, on account of its extent, as belonging to the 2d Class, the County of *Down* to the 3d Class, and the County of *Armagh* and County of the City of *Dublin* to the 4th Class.

County Boards.

(Ireland.)

A

B I L L

[AS AMENDED BY THE COMMITTEE]

For the Administration of certain Civil Affairs of a Local Nature by County Boards in *Ireland.*

(*Prepared and brought in by*
Sir Richard Musgrave, Mr. Wyse, and
Mr. Walker.)

Ordered, by The House of Commons, *to be Printed,*
24 *June* 1836.

[*Price* 8 *d.*]

A

B I L L

To establish a Council and Auditors in every County in England and Wales, for the better Management of County Rates, and for amending the Laws relating thereto.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS an Act was passed in the twelfth year of the reign of his Majesty King GEORGE the Second, intituled, "An Act for the more easy assessing, collecting and levying of County Rates:" And whereas another Act was passed in the thirteenth year of the reign of his Majesty King GEORGE the Second, intituled, "An Act to continue several Laws therein mentioned, &c. and for extending the Powers of Justices of the Peace of Counties, touching County Rates, to Justices of Peace of such Liberties and Franchises as have Commissions of the Peace within themselves:" And whereas another Act was passed in the fifty-fifth year of the reign of his Majesty King GEORGE the Third, intituled, "An Act to amend an Act of his late Majesty King GEORGE the Second, for the more easy assessing, collecting and levying of County Rates:" And whereas another Act was passed in the fifty-sixth year of the reign of his Majesty King GEORGE the Third, intituled, "An Act to explain and amend an Act passed in the last Session of Parliament, for the more easy assessing, collecting and levying of County Rates:" And whereas another Act was passed in the fifty-seventh year of the reign of his Majesty King GEORGE the Third, intituled, "An Act to amend an Act of the last Session of Parliament, for the more easy assessing of County Rates:" And whereas another Act was passed in the second year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to explain and amend

12 Geo 2. c. 29.

13 Geo. 2. c. 18.

55 Geo. 3. c. 51.

56 Geo. 3. c. 49.

57 Geo. 3. c. 94.

2 Geo. 4. c. 85.

several Acts relating to the assessing, levying and collecting the County Rates :"

And whereas in the several counties of England and Wales the County Rates have been assessed, levied and expended by the Justices of the Peace of the respective counties, and have not been subject to the control of those who contribute the rates : And whereas great inequality in the assessment of the County Rates have long prevailed : And whereas the levying, collecting and expending of County Rates would be rendered more certain, speedy, economical and secure if the several powers and authorities for levying, collecting and expending the same, and the penalties, allowances, compensations and other expenses relating or incident thereto or to the assessing thereof by the said several Acts of Parliament vested in the Justices of the Peace, High Constables and other persons of the several hundreds, divisions and liberties within the several counties of England and Wales, were transferred to and vested in a Council for each county to be elected by the rate payers : And whereas the existing divisions of counties are inconvenient for county purposes, and it is desirable that the same should be examined, and that each and every county should be divided into Wards, for the purposes of electing in each of such Wards Members or Councillors for the Council : And whereas it is necessary that provision should be made for the more equally levying of such rates upon the several parishes and other divisions of land, houses, tenements or other rateable property within the said several counties, and that for such purpose an uniform valuation should be made of such parishes and other divisions, whereby the proportions of such rates to be borne and paid by such parishes and other divisions may be ascertained and regulated, and therefore it is expedient that so much as hereinafter is mentioned of the said several Acts should be repealed, and that such other provisions and regulations as are hereinafter contained should be established in lieu thereof;

May it therefore please Your MAJESTY,

That it may be Enacted ; And be it Enacted, by The KING's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT so much of the said several hereinbefore recited Acts as is varied or altered by this Act, as well as so much of the said recited Acts as authorizes, empowers, directs or requires the High Constables of the respective hundreds, divisions and liberties to demand, collect, raise, levy, receive and give receipts for the County Rates assessed or to be assessed upon

1. So much of Acts as authorize the payment of County Rates to High Constables repealed.

upon each and every town, parish and place within the same, or any penalty, allowance, compensation or expenses in or by the same several Acts respectively authorized, directed or required to be demanded, collected, raised, levied or received by such High Constables, or as authorizes, empowers or directs the churchwardens, overseers of the poor, petty constables and other peace officers of each and every such parish, town and place, or any other person or persons, to pay the same rates, or any such penalty, allowance, compensation or expenses to such High Constables, or as authorizes or empowers the Justices of the Peace to issue their warrants to such High Constables, directing or requiring them to demand, collect, raise or levy such rates, or any such penalty, allowance, compensation or expenses, or as inflicts or imposes any pain, penalty, fine or forfeiture upon such High Constables for neglecting or refusing to demand, collect, raise or levy such rates, or any such penalty, allowance, compensation or expenses, or as inflicts or imposes any pain, penalty, fine or forfeiture upon any churchwarden, overseer of the poor, petty constable, peace officer or other person or persons, or makes him, her or them, or his, her or their goods or chattels liable to any distress or sale or other process, for making default in paying, or neglecting or refusing to pay to such High Constables such rates, or any such penalty, allowance, compensation or expenses, or as authorizes or empowers the Justices of the Peace to demand and take security from such High Constables, shall, as soon as a Council has been formed under this Act, be and the same is hereby Repealed.

2. Interpretation Clause.

And be it further Enacted, That the words and expressions hereinafter mentioned which in their ordinary signification have a more confined or a different meaning, shall in the construction of this Act, except when the nature of the provision or the context of the Act shall exclude such construction, be interpreted as follows; (that is to say) the word "County" shall be construed to extend to the ridings of the county of York, which ridings for the purposes of this Act shall be considered as separate counties; and that the word "Council" shall extend to and mean the Council of any county, and shall be construed to include every meeting of the Council or adjournment thereof, as well as the meetings of the executive committee or adjournment thereof; and that the words "Justice or Justices of the Peace" shall be construed to include Justices of the Peace of any county, division of a county, riding, borough, liberty, division of a liberty, precinct, county of a city, county of a town, cinque port or town corporate; the words "Rateable Property" shall be deemed to extend to and include manors, lands, inclosures, gardens, market-gardens, nursery grounds, houses, messuages, tenements, buildings, rents, tithes, hereditaments, corporeal and incorporeal,

County.

Council.

Justices or Justice of the Peace.

Rateable Property.

poreal, and every species of land, whether arable, meadow or pasture, and whether freehold, copyhold or customary, or held by any other tenure, and also all factories, mills, bleach-works, print-works, gasworks mains and pipes, waterworks mains and pipes, railroads, canals, mines, and stone slate and other quarries, and all other property of whatever description rateable to the relief of the poor; that the word "Officer" shall be construed to extend to any clerk, treasurer, secretary, valuator, accountant, collector or servant, or to any other person employed by the said council or committees, by whatsoever name called or known; that the word "Overseers" shall be construed to mean and include all persons who have the ordering, collecting or expending the Poor Rates, as well as all persons who execute the duties of overseers of the poor; that the words "Annual Value" shall be construed to mean the net annual value, according to the rent at which the rateable property might be reasonably expected to be let to a tenant from year to year, deducting therefrom the probable average annual cost of the repairs, insurance, and other expenses, if any, necessary to command such rent; and that whenever in this Act any word is used importing the singular number only, yet such word importing the singular number shall be construed to extend and be applied to several persons and things as well as to one person or thing, unless there be something in the subject or context repugnant to such constructions.

Officer.

Overseers.

Annual Value.

Singular to include Plural.

3. His Majesty may issue Commissions for the purpose of uniting Parishes into Wards, according to Population and Extent, in every County.

And be it further Enacted, That it shall be lawful for His Majesty, His heirs and successors, to issue *One* or more Commission or Commissions under the Great Seal to any number of persons, to be constituted Commissioners for the purpose of forming the several counties into such number of wards, each ward consisting of *One* or more entire parish or parishes, or extra-parochial places, according to population and extent, as they in their discretion may think fit for the purposes of this Act; and that they the said Commissioners or any of them shall and they are hereby authorized, empowered and required to examine the existing divisions within every county, and to make therein such wards by uniting parishes and extra-parochial places, as aforesaid, without reference to any hundred, wapentake, lathe, leet, rape, parish, union, hamlet, tithing, vill, township, extra-parochial place, liberty, precinct; franchise or any other subdivision of a county, however designated, or whether possessing any peculiar liberty, privilege or franchise, as in their discretion, or in the discretion of any of them, may seem proper; and to fix, determine and set out the extent, limits and boundary lines of such wards; and that such new divisions, when apportioned, shall be generally designated "County Wards," and be separately distinguished and called by the name of some principal or convenient town, village or place within the same, and

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and as near the centre thereof as conveniently may be, and as the said Commissioners shall direct; and such town, village or place shall be called the "Ward Town;" and the said Commissioners are hereby authorized, empowered and required to fix and declare in manner hereinafter mentioned the number of Councillors to be elected in pursuance of this Act for each ward, such number to be divisible by *Three*; taking into consideration, as far as in their judgment they may deem it to be practicable, the extent of rateable property and number of persons rated or to be rated to the County Rate in such ward, and so that there shall be not less than *Eighteen* nor more than *Forty-eight* Councillors for each county; and also to fix and determine in like manner the number of persons to be elected as Auditors of the County Accounts, the number of such Auditors for each county in no one county to be less than *Three* or more than *Five*; and also to fix and determine, where a county is divided into a greater number of wards than *Three*, how many and which of such wards shall be united for the purpose of electing an Auditor, so that the whole number of wards of such county shall not return more than *Five* Auditors as aforesaid; and the said Commissioners, or any of them, shall and may and they are hereby authorized and empowered to meet at such times and at such places within each county as they or any of them shall appoint, and then and there, if necessary, by the testimony of witnesses, and by the inspection and examination of maps, plans, surveys, books, valuations, estimates, records, writings, population returns, or any other legal proof or evidence, to inquire of and ascertain all and singular the matters and things the said Commissioners may deem requisite for the purpose of assisting and facilitating their proceedings in determining such divisions; and that it shall and may be lawful for the said Commissioners, or any of them, and they are hereby authorized and empowered to call before them at their meetings any person, either to give evidence or to produce County Records or other public documents, whether parochial or otherwise; and any person, being duly summoned, and refusing or neglecting to appear, or to give evidence, or to produce such records or documents, having been paid or tendered a reasonable sum for his or her costs and charges, without a reasonable excuse for his or her refusal or neglect, or appearing shall refuse to be examined and to give evidence before the said Commissioners, then and in either of the said cases every such person shall forfeit and pay for every such offence any sum not exceeding

to be recovered in a summary way before any Justice of the Peace, and paid to the County Funds or Rates; and in default of payment the said Justice shall, if he think proper, commit the offender to the common Gaol or some House of Correction within the

Commissioners to declare the Number of Councillors for each Ward and the Number of Auditors of the County Accounts.

Commissioners may examine Witnesses.

county or place in which the person having incurred the fine shall happen to be, for any period not exceeding calendar Months: Provided always, That no apportionment of a county into wards to be made by the said Commissioners, nor the number of Councillors or Auditors to be elected therein respectively, shall be valid or effectual until the same shall have appeared in the London Gazette as hereinafter directed, and shall have been previously submitted to one of His Majesty's Principal Secretaries of State.

The apportionment of a County into Wards not to be valid until the same shall have appeared in the London Gazette.

4. Commissioners to transmit Particulars of the Parish or number of Parishes constituting such Wards, and the number of Councillors for each Ward, and the number of Auditors for each County, to one of the Secretaries of State.

And be it further Enacted, That the said Commissioners shall and they are hereby required and directed, immediately after determining such Wards and such number of Councillors and Auditors for the same as aforesaid, to transmit full particulars of the parish or number of parishes constituting such Wards or divisions, and the number of Councillors and Auditors, and, if any, the Wards united for electing Auditors, under their hands or the hands of any of them, to one of His Majesty's Principal Secretaries of State, according to or to the effect of the form marked (A.) in the Schedule to this Act annexed, and unless the Secretary of State shall have good cause for objecting to such apportionment of the counties and number of Councillors and Auditors as aforesaid within *Fourteen* Days from the receipt thereof, he is hereby required to sign the same, and insert a true copy thereof in the London Gazette; but if the Secretary of State shall object to the apportionment of any county so made, or to the number of Councillors or number of Auditors to be elected for the same, then and in that case he is hereby required to return the said particulars of the parish or number of parishes constituting such Wards and number of Councillors and of Auditors, with his suggestions in writing, to the Commissioners, which suggestions the said Commissioners are hereby required to take into their consideration, and to communicate with the Secretary thereon, and if they see cause to make any alteration in the apportionment of any county, or in the number of Councillors or Auditors or Wards united, they are hereby required to make such amendment as to them may seem proper, and proceed as before directed in returning same to the Secretary of State, and the Secretary of State is hereby then forthwith required to insert the particulars of the parish or number of parishes constituting such Wards, and the number of Councillors and Auditors to be elected therein, and, if any, the Wards united for electing Auditors, by way of advertisement, in the London Gazette, as though no objection had been made thereto; and such divisions and numbers of Councillors and Auditors shall continue and be in force until the same shall be altered by authority of Parliament.

The Secretary of State may make Objections thereto.

Commissioners to consider objections of Secretary of State, and report thereon.

The second Report of the Division by the Commissioners to be final.

Particulars of Wards, &c. to be inserted in the London Gazette, and not to be altered except by authority of Parliament.

And

5. Secretary of State to send a Copy of same to the Sheriff.

And be it further Enacted, That it shall be lawful for His Majesty's Secretary of State acting for the Home Department, and he is hereby authorized and required to transmit a true and correct copy of such advertisement, under his hand and official seal, immediately after the same shall have appeared in the London Gazette, to the Sheriff of the county to which each respective apportionment and number of Councillors and Auditors shall relate, and the said Sheriff is hereby authorized and required to preserve the same with the records of the county, and to cause a correct copy of the said advertisement to be inserted and published *Twice* in some *One* or more of the public newspapers circulating within the county to which such apportionment and number of Councillors and Auditors shall relate.

Sheriff required to insert same in County Newspapers.

6. *Remuneration of Commissioners.*

And be it further Enacted, That every Commissioner appointed by His Majesty's Commission for the purposes aforesaid shall be paid at the rate of for every day that he shall be so employed, over and above his travelling and other expenses, and every such Commissioner, after the divisions of the several counties shall be fully effected as aforesaid, shall lay or cause to be laid before the Lords Commissioners of His Majesty's Treasury for the time being a statement of the number of days during which he shall have been so employed, and an account of the travelling and other expenses incurred by him in respect of such employment, and the said Lords Commissioners shall make an order for the amount to be paid to every such Commissioner.

7. A List of Voters to be formed by arranging the names of Rate-payers alphabetically

AND whereas it is expedient that a register should be formed of all persons entitled to vote in the election of Councillors to form the County Council; BE it therefore further Enacted, That within *One* calendar Month next after the *passing of this Act*, and on or before the *Thirty-first* day of *December* in every succeeding year, the Overseers shall make out or cause to be made out an alphabetical List of all persons in every parish rated, and none others, to that County Rate which was last made before the day of *passing this Act*, and before the said *Thirty-first* day of *December* in every succeeding year where such County Rate has been collected separately; or an alphabetical List of all persons in every parish rated to the rate last made before the day of *passing this Act*, and before the said *Thirty-first* day of *December* in every succeeding year, for the relief of the poor, or for any other purposes where such County Rate has been collected with or paid out of any funds raised for the relief of the poor, or for other pur-

The List to contain the of Abode, Nature of the Property rated, and the Annual Value.

poses (as the case may be); and such List shall contain the christian names and surnames of all persons rated as herein mentioned, together with a description of their place of abode, the nature of the property for which they are assessed, and the amount of the annual value of the property rated; and to such names shall be affixed a progressive number respectively; and such Lists shall exhibit totals of the number of rate-payers, and of the gross amount of the annual value of the property rated; and shall be in the form marked (B.) in the said Schedule; and such List shall be printed or legibly written, and shall be called "The County Rate Voters' List of the Parish of in the Ward of ;" and within *Six* Weeks next after the *passing of this Act*, and within *Ten* Days next after the said *Thirty-first* day of *December* in every succeeding year, the Overseers shall cause notice to be posted or affixed on or near to the principal or outer door of all churches and chapels within the parish, or where there is no church or chapel within the parish, then the Overseers shall cause a notice to be posted or affixed on some public and conspicuous place within the same respectively; and each of such notices shall state that the said Lists will be open to the inspection of the rate-payers for the space of *Seven* clear Days next ensuing the date specified in such notice, but which date shall be within the said *Six* Weeks or *Ten* Days respectively hereinbefore mentioned; and in either of such cases such notice so posted or affixed shall be deemed and considered to all intents and purposes a good publication of the same; and such notice shall mention some convenient place where and the time when such List may be inspected by any rate-payer of the parish, to the intent that the same may be examined for the purpose of ascertaining if the names and other particulars as herein directed to be inserted therein are correct; and such List shall be open without fee or expense to the inspection of any rate-payer, from *Ten* of the clock in the forenoon till *Four* of the clock in the afternoon, for the period of *Seven* Days next after the day as hereinbefore mentioned; and any rate-payer discovering any error in the name, or other particulars, either relative to himself or to any other party in such List, shall point out the same to the Overseers, who shall correct any error therein, on being satisfied of such error; and such List, after the expiration of the *Seven* Days as herein mentioned, shall be signed by the Overseers, and shall then be deemed in law to be a correct List of all persons that are entitled to vote for or in respect of the parish respectively, from the time of signing such List until the next annual List shall be made and completed as is herein mentioned, and no longer; and no challenge or objection shall be taken to such List after having been so signed; and no other person

List to be styled "The County Rate Voters' List."

Notice to be given of the Time and Place where such List may be inspected.

The List may be inspected, for the purpose of ascertaining if it be correct.

How Errors in the Lists are to be rectified.

The List to be signed by the Overseers.

No Person, except mentioned in

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person than the persons named and described in such List shall be entitled to vote at the election of Councillors to form the County Council or for an Auditor; and such List shall be duly transmitted to the Sheriff of such county, and by him shall be transmitted to the Council to be preserved as a county record for the purposes of this Act; and such Overseers shall, previously to sending such original list to the Sheriff, make or cause to be made a true copy of such List, and shall certify under their hands that the same is a true and correct copy of such List, and shall preserve such copy in the parish to which it belongs; and such copy may be perused by any rate-payer (without payment of any fee), at all seasonable hours during the period aforesaid, until a new List shall be formed; but no amendment or alteration shall be allowed to be made therein or error corrected, until the next annual List shall be prepared as hereinbefore is directed.

List, to vote for Councillors or Auditor.

Overseers to make Copy of List.

The Rate-payers may inspect such Copy.

8.
As to Precincts, &c. where there are no Overseers.

Provided always, and be it further Enacted, That every parish, and every precinct or place, whether extra-parochial or otherwise, within any Ward which shall have no Overseers, shall for the purpose of making out such Lists as aforesaid be deemed within the parish adjoining thereto, such parish and such precinct or place, whether extra-parochial or otherwise, being situate within the same Ward, and if such parish, precinct or place shall adjoin two or more parishes so situate as aforesaid, it shall be deemed to be within the least populous of such parishes, according to the last Census for the time being, and the Overseers of the Poor or other persons as hereinbefore mentioned of every such parish shall insert at the end of the List for their parish a List in like form in all respects of the names and all other particulars of all persons who would have been entitled to be inserted in the Lists for such parish, precinct or place as if such parish, precinct or place had had Overseers or had been rated to the maintenance of the poor, but nevertheless the said List appertaining to such precinct or place shall be kept separate.

9.
Expenses of Overseers to be defrayed out of the Poor Rates.

And be it further Enacted, That it shall be lawful for the Overseers to cause such Lists, if they see occasion, to be printed, and to deliver copies at the actual cost price thereof, or as near thereto as may be, to any person requiring the same, and such charges or sums received for the sale of the said copies shall be accounted for by the Overseers in their accounts; and it shall be lawful for the Overseers to charge the Poor-Rates of such parish with the amount of such sums of money as they shall expend in printing the same, or shall expend otherwise in carrying into effect the several provisions of this Act.

10. Councillors to be elected in each Ward to constitute the Council.

And be it further Enacted, That in and by each Ward in every county there shall be elected by the Voters named and described in the County Rate Voters List of each parish, at the time and in the manner hereinafter mentioned, the several and respective numbers of Councillors as specified in the London Gazette as herein provided, who shall, when elected, form a Council for the purposes of this Act, and there shall also be elected at the same time an Auditor f the County Accounts as herein mentioned.

Auditor to be elected.

11. Persons disqualified from being elected Councillors or Auditors.

And be it further Enacted, That no person being a Clergyman of the Church of England, or being the regular Minister of any Dissenting Chapel, or being an Officer, Engineer or other professional man or tradesman paid by the county, or being the Mayor or member of the Council of any city or town, shall be qualified to be or continue to be a Councillor of any Ward of a county, or an Auditor, nor shall any person be qualified to be elected to be a Councillor of any Ward of a county or an Auditor unless his name shall at the time of his election appear in the Register of Voters legally entitled to vote for a Member of Parliament for the county or division of the county or riding, or for a city or borough situate within the county in which the Ward is situate, nor unless he shall reside within the Ward or within the distance of *Seven* statute Miles, measured in a straight line from the nearest boundary thereof.

Persons qualified.

12. Sheriff to appoint a Returning Officer and to name the Days and Times, and give Notice for Public Meetings for nominating Councillors and Auditors.

And be it further Enacted, That the Sheriff of every county for the time being, within *Two* calendar Months after the publication of the Wards of counties in the London Gazette, and in every *third* succeeding year from such publication, shall and he is hereby required to nominate and appoint a fit and proper person for each respective Ward of the county to be the Returning Officer for the purposes of this Act, and from time to time to remove such Officer and appoint another in his stead; and on the *Monday* next ensuing the expiration of such *Two* calendar Months, and on the *first Monday* in the month of *May* in the *third* year from such publication, and on the *first Monday* in the month of *May* in every *third* succeeding year, the Sheriff shall and he is hereby required to name a day and hour, such day not being less than *Twenty-one* Days nor more than *Twenty-eight* Days from such *Monday*, for a public meeting of the county rate-payers named in the respective List of Voters of each Ward of the county to be held at the Ward-town of such Ward, for the purpose of nominating fit and proper persons to be candidates for Councillors of such Wards respectively, and fit and proper persons to be candidates for Auditors of the Accounts of the county; and he is hereby also required to name a day, such day not exceeding *Seven* Days

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Days from the day named for the nomination of candidates as aforesaid, for a public meeting in each parish in every Ward within the county, of the Voters of each respective parish, for the purpose of electing out of the candidates respectively nominated as aforesaid, the number of Councillors requisite for each respective Ward, and of electing out of the candidates nominated for Auditors as aforesaid, an Auditor of the Accounts of the county; and also to name a day, such day not to exceed *Four* Days from the day named for the election as aforesaid, for holding a court by the Returning Officer in the Ward-town or place in each respective Ward for casting up the voting papers and declaring the names of the Councillors and Auditor elected; and the Sheriff shall cause a notice of such several and respective days of meetings and to the purpose aforesaid, according to the form marked (C.) in the said Schedule, to be inserted in one or more newspapers circulating within the county, and shall cause a copy of such notice to be transmitted forthwith to the Returning Officer of each Ward.

13. The Returning Officer to give Notice to the Overseers of the Days named by the Sheriff.

And be it further Enacted, That the Returning Officer for each Ward of a county shall cause notices of the days and times of holding such public meetings to be transmitted to the respective Overseers of every parish; and shall also require the Overseers to give such notices and call such public meetings in manner herein provided; and such notice shall be in the form marked (D.) in the said Schedule; and that such Returning Officer shall and he is hereby required to hold a court in the Ward Town in the county to which he has been appointed, which court shall be styled the Ward Court, and at which court such Returning Officer shall attend and preside on the days and times, and from time to time, as may be named and required by the Sheriff; and that such Returning Officer shall and he is hereby required to nominate and appoint to each parish within his Ward, a fit and proper person to attend at the meeting of the rate-payers on the day of election, to assist the Overseers at such election, and otherwise perform the duty by this Act required, and such person shall be styled "the Inspector of Votes for the Parish" to which he shall be appointed.

Returning Officer to preside at the Ward Courts.

To appoint an Inspector of Votes.

14. Mode of Nomination.

Any County Rate-payer may nominate.

And be it further Enacted, That on the day named by the Sheriff for the day of nomination of candidates for Councillors and Auditors in any Ward of a county, it shall be lawful for any county rate-payer on the List of Voters of any parish within the Ward to propose for Councillors any number of persons duly qualified (not exceeding the number of Councillors to be elected for such Ward), and also to propose for Auditor of such Ward (or number of Wards, as the case may be) any person duly qualified, and in such cases the Voter shall thereupon deliver or cause to be delivered to the

Returning Officer a paper, signed by the person proposed for Councillor or Auditor, as the case may be, declaring his consent to be put in nomination to serve the office for which he shall be so proposed, according to the form (E.) in the said Schedule, and shall also deliver or cause to be delivered at the same time to the Returning Officer two nomination papers, such papers being previously signed with the name of the county rate-payer making such nomination, and the Returning Officer shall thereupon declare the names of such persons nominated, and shall write out or cause to be written out the same in a List, and sign the same, and such List of persons so nominated and so signed shall be the Lists of candidates or persons from whom the Councillors and Auditors of such Ward shall be chosen, and copies of such Lists of candidates shall be forthwith transmitted to the Overseers of the respective parishes in each Ward for the purpose of publication as herein mentioned: Provided always, That if upon the declaration of such List the number of the candidates proposed for Councillors and Auditor shall not exceed or shall be less than the number to be elected for such Ward, then the persons whose names shall be so declared shall be deemed to be duly elected to the offices of Councillors and Auditor, as the case may be, for such Ward, and may act in such capacity: Provided also, That in case the county rate-payers of any Ward of a county shall not nominate the full number of Councillors to be elected for such Ward in manner aforesaid, it shall be lawful to and for the Sheriff of such county to nominate and appoint so many duly qualified persons to be Councillors for such Ward as will make up the number directed to have been elected under this Act; or in case the county rate-payers of any Ward of a county shall refuse or neglect to elect any Councillors or Auditor for the same in manner aforesaid, it shall be lawful to and for the Sheriff of such county to nominate and appoint Councillors and Auditor for such Ward in which elections shall not have been made, and all persons so nominated and appointed by the Sheriff shall have the same power and shall remain the same time in office as if they had been elected in office by the county rate-payers within their respective parishes in manner herein directed.

If no more Candidates be proposed than required, the same to be declared duly elected.

Sheriff to appoint on failure of Rate-payers nominating.

15. Rate-payers to elect Councillors to form the Council and Auditors.

And be it further Enacted, That if the number of the candidates nominated as aforesaid shall exceed the number to be elected, then the County Rate Voters in each parish in every Ward within the county, assembled in the respective parishes, shall elect from the List of candidates qualified to be Councillors, and nominated as aforesaid, the members of the Council for the county, and Auditor for the Ward in which the parish is situate, or such of them as shall be requisite for supplying the places of those who shall go out of office, or of any vacancy.

And

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16. Appointed day falling on Sunday, business to be done the following day.

And be it further Enacted, That whenever any day by this Act appointed for any purpose shall in any year happen to fall on a Sunday, then and in every such case the business so appointed to be done shall take place on the Monday immediately following.

17. Notice of Election to be given by the Overseers.

And be it further Enacted, That *Eight* Days previously to the day of election of Councillors, the List of candidates for Councillors and Auditors, and notice of election pursuant to this Act in the form marked (F.) in the said Schedule signed by the Overseers, shall be affixed to the principal doors of every church or chapel, or to other usual places in parishes where there is no church or chapel, of any parish in every Ward of a county.

18. Returning Officers, &c. may require the attendance of Constables, &c.

And be it further Enacted, That the Returning Officers, Inspectors or Overseers respectively may summon the Rate Collectors, Constables, Tything-men, and other Parochial Officers, or any of them (whose summons such Officers are hereby respectively required to obey), to attend them on the said days of nomination and election, in order to assist them in ascertaining that the persons presenting themselves are persons entitled to nominate and vote under the provisions of this Act at the said nomination and election, and for preserving due order and decorum in the proceedings thereat.

19. The Inspector and Overseer to preside at the Election.

And be it further Enacted, That on the day of every election of Councillors in any parish for the Ward of a county, and of Auditors according to the provisions of this Act, the Inspector and *One* or more of the Overseers of such parish shall attend at such election, and the voting at every such election shall commence at *Ten* of the clock in the forenoon, and shall finally close at *Four* of the clock in the afternoon of the same day, and shall be conducted in manner following; (that is to say) Every county rate-payer in the List for such parish may vote for any number of persons in the list of Candidates not exceeding the number of Councillors then to be chosen for the Ward, and for *One* Auditor, by delivering or causing to be delivered to the Inspector *Two* Voting Papers folded up, and no more, one of which papers shall contain the christian names and surnames and residences of the persons for whom he votes as fit and proper to be Councillors, and the other shall contain the christian name and surname and residence of the person for whom he votes as fit and proper to be Auditor, according to the forms marked (G.) in the said Schedule; and such Inspector shall, in a book, to be provided by the Overseers for that purpose, enter in writing, immediately he receives a Voting Paper, and before he receives another, the name of the voter and the number affixed to his name in the County Rate Voter's List; and the Overseers, on the behalf

Every County Rate-payer in the List of Voters entitled to vote.

Overseers may appoint a Polling Clerk.

behalf of the voters generally, may appoint one Poll Clerk to enter in writing in a book, in a like manner and at the same time, the names and numbers respectively as written by the Inspector: Provided always, That each person on the County Rate Voter's List shall have One vote, and no more, for the election of Councillors for the ward, and One vote, and no more, for the Auditor of Accounts: Provided also, That any election held under this Act may be held in the vestry or other room within the parish, but not in any church, chapel or other place of public worship.

Rate-payers to have but One Vote.

Election not to be held in any Church, &c.

20. No Inquiry as to the Right of the Voter, except as to his identity.

And be it further Enacted, That no inquiry shall be permitted at any election as to the right of any person to vote as a county rate-payer in any parish for a Ward of a county, except only as follows; (that is to say) that the Inspector or Overseer as aforesaid shall ask, if required by any two county rate-payers entitled to vote in the same parish, of any voter at the time of his delivering in his folded Voting Papers, but not afterwards, the following question, and none other:

Question to Voters.

> "Are you the person whose name appears as A. B. on the County Rate Voter's List now in force for this parish of ?"

And no person required to answer the said question shall be permitted or qualified to vote, and his Voting Papers shall not be received until he shall have answered the same in the affirmative; and if any person shall wilfully make a false answer to the questions aforesaid, he shall be deemed guilty of a *Misdemeanor*, and may be indicted and punished accordingly at the county expense.

21. Inspector to deposit the Voting Papers into two Boxes, and duly secure the same.

And be it further Enacted, That the Inspector, in the presence of the Overseers, or other person by them appointed, shall deposit the said folded voting Papers, without previously opening the same, in two separate boxes, one box for the Voting Papers for the Councillors, and another for the Voting Papers for the Auditor and that the said boxes shall be closed and locked up at the termination of the voting, that is, at *Four* of the clock in the afternoon, and the same shall forthwith be sealed with wax, and otherwise duly secured by the said Inspector, and the Overseers or other person by them appointed, may, if they think fit, affix also their seal thereto.

22. Penalty on Inspector and Overseers for neglecting to perform the Duties im posed on them by this Act.

And be it further Enacted, That if any Inspector shall refuse or neglect to receive or collect or to safely preserve the Polling Papers, or to bring the same to and attend the Court of the Returning Officer of the Ward, or in any other manner wilfully neglect his duty, contrary to the true intent and meaning of this Act, such Inspector so offending shall for every such offence forfeit and pay the

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the sum of which penalty shall be recovered as hereinafter is provided; and if any Overseer shall refuse or neglect to make out such List as aforesaid, or shall refuse or neglect to publish such notice as aforesaid, or shall refuse or neglect to find some convenient place for the days and hours herein mentioned when the rate-payers may inspect such List, or shall refuse to allow any such List to be perused by any county rate-payer, or shall neglect or refuse to amend any error therein discovered, or to sign any such List, or shall in any manner whatsoever alter, falsify, conceal or suppress the name and other particulars as herein mentioned of any person assessed as herein mentioned, or shall wilfully insert in such List the name of any persons not so assessed, or shall refuse or neglect to keep a true copy thereof, or shall refuse any county rate-payer the inspection of the same as herein mentioned, or neglect to prepare the totals of the numbers of rate-payers and amount of gross assessments, or shall neglect to attend to any notice sent by the Sheriff, or to call proper meetings as herein provided, or shall neglect or refuse to attend the Court of the Returning Officer of the Ward, or if he shall otherwise make default in any matter or thing by this Act required of him, such Overseer so offending shall for every such offence forfeit and pay the sum of which penalty shall be recovered as hereinafter is provided.

23. Result of Election.

And be it further Enacted, That the Inspector of every parish within each Ward, at the Ward Court to be holden as aforesaid, shall deliver or cause to be delivered to the Returning Officer for such Ward the Voting Papers for Councillors and Auditors, sealed up in two separate boxes as aforesaid, in the same state and condition as they were secured and sealed at the close of the poll in their respective parishes; and also the list of the names of persons voting as aforesaid, together with a copy of the County Rate Voters' List; and the said Returning Officer for each Ward shall examine the Voting Papers so delivered as aforesaid for the purpose of ascertaining the persons elected, and such persons whose names shall appear in the greatest number of the Voting Papers shall be considered to have the greatest number of votes, and shall be deemed to be elected Councillors and Auditor respectively; and in case of an equality in the number of votes for any two or more persons, the Returning Officer shall decide by lot, and name from amongst those persons for whom the number of votes shall be equal so many as shall be necessary to complete the requisite number of persons to be chosen, and the said Returning Officer having carefully cast up the votes as aforesaid, shall declare publicly, and certify under his hand to the Sheriff of the county, the persons elected as Councillors for the Ward, who are to form part of the Council, and

The Returning Officer to examine Voting Papers.

If the Votes for any two or more Persons shall be equal, the Returning Officer to decide by Lot.

To be publicly declared.

Sheriff to publish a List of the Names and Places of Abode of Councillors and Auditors in one or more Newspapers.

the person elected as Auditor of accounts, and also the number of votes given for each respectively; and the Sheriff shall and he is hereby required to cause the names and places of abode of each and every Councillor and Auditor elected in each and every Ward within the county, and the number of votes for each respectively, to be published in one or more of the public newspapers circulating in the county within *Ten* Days next after the day of election; and the original Certificates of the Returning Officers shall be by the Sheriff transmitted to the Council, to be preserved as records.

24. Penalty for forging or falsifying any Voting List, or obstructing the Election.

And be it further Enacted, That if any person do wilfully forge or in any way wilfully falsify any name or writing in any Paper or List as aforesaid, or shall wilfully offer false votes, or present to the Inspector or Overseers more Voting Papers than by this Act allowed, or do by any contrivance attempt to obstruct or prevent the purposes of such mode of election, the persons so offending shall, upon information laid and conviction before any *Two* or more Justices of the Peace, be liable to a penalty of *Fifty* Pounds, and in default of payment thereof, shall be imprisoned for any term not exceeding *Six* Months; and any fine so levied shall be given, *half* to the informer who shall have informed against the person so offending, and the other *half* to the funds of the county in which such offence shall have been committed.

25. Penalty for making an incorrect Return of the Votes or List of Voters.

And be it further Enacted, That if any Returning Officer, Inspector or Overseer as aforesaid shall wilfully make or cause to be made an incorrect return of the said Votes or List of Voters, every such offender shall, upon information laid by any person before *Two* or more Justices of the Peace in the county, and upon conviction for such offence, be liable to a penalty of *Fifty* Pounds, to be recovered in a summary way.

26. Returning Officer or Inspector to settle any Dispute respecting Election.

And be it further Enacted, That if any controversy or dispute shall arise respecting any such election, either as to the qualification or right of voting, or eligibility of any person claiming to vote, or as to the eligibility of any candidate, such controversy or dispute shall be determined by the Returning Officer or Inspector, whose decision shall be final, unless an appeal shall be made to the Council as hereinafter is mentioned.

27. Vacancies by death or otherwise to be filled up in the same manner.

And be it further Enacted, That in case any Councillor shall die or become disqualified, or shall neglect to act, and in case of any casual vacancy happening in any manner whatever, so that the number of Councillors shall be reduced to less than two-thirds of their number, the Sheriff shall within *Ten* Days of such reduction of number proceed in like form and manner as hereinbefore directed for the purpose of filling up such vacancy or vacancies.

And

28. One-third part of the Council to go out of office every third year.

And be it further Enacted, That *One-third* part of the whole number of Councillors elected as aforesaid for every county shall go out of office every *third* year, in manner following; (that is to say) on the full expiration of *Three* Years from and after the day of the first election of Councillors under the provisions of this Act the third part who shall first go out of office shall be those who were elected by the smallest number of votes at the time of election, and in the next *third* succeeding year, the *One-third* of the Councillors who shall then so go out of office, shall be the Councillors who were elected by the next smallest number of votes at the first election after the *passing of this Act*, and thereafter the one-third who shall so go out of office shall always be such of the Councillors who shall have been in office for the longest period without re-election: Provided always, That the majority of the Council present at a meeting to be convened for that purpose shall determine, whenever it shall happen that the votes for any such Councillors going out of office shall have been equal, which of such Councillors shall go out of office: And provided also, That all Councillors going out of office shall be eligible to be re-elected, if then qualified, as herein is provided.

Council to determine when the number of Voters shall be equal for any number of Councillors which shall go out.

29. Manner of proceeding if any Person is elected a Councillor or Auditor in more than one Ward or union of Wards.

And be it further Enacted, That if at any election of Councillors or Auditors for any county any person shall be elected a Councillor or Auditor in more than one of the Wards or union of Wards of such county, he shall within *Three* Days after notice thereof, choose, or in his default the Sheriff shall declare for which one of the said Wards or union of Wards such Councillor or Auditor shall serve, and such person shall thereupon be held to be elected in that Ward or union of Wards only which he shall so choose, or which the Sheriff shall so declare.

30. No Person, being elected a Councillor or Auditor, shall act as such until he shall have subscribed a Declaration to fulfil the Duties impartially.

And be it further Enacted, That no person elected a Councillor or Auditor for any county by virtue of this Act shall be capable of acting as such (except in administering the declaration hereinafter contained) until he shall have made and subscribed before any *Two* or more of such Councillors (who are hereby respectively authorized and required to administer the same to each other) a declaration in the words or to the effect following; (that is to say)

Form of Declaration.

"I, A. B., having been elected a Councillor [or, Auditor] for the county of do hereby solemnly declare, That I take the said office of Councillor [or, Auditor] upon myself, and will faithfully, impartially and honestly fulfil the duties thereof according to the best of my judgment and ability."

And which declaration when so made and subscribed shall be enrolled with the records of the Council.

31. Sheriff to summon Councillors to first Meeting.

And be it further Enacted, That the Sheriff shall, within *Ten* Days after the day on which the result of the elections of Councillors shall have been declared, summon the persons so elected to meet in the County Hall or other public building for county purposes, at the hour of *Twelve* of the clock at noon, on some day to be named in such summons, not being less than *Seven* Days nor more than *Ten* Days from the date of such summons, and such persons so elected shall and are hereby required to meet together at the place and time mentioned in such summons to hold a Council.

32. Councillors to constitute a County Council.

First Meeting.

Petitions against undue Returns to be heard.

And be it further Enacted, That the Councillors elected under the authority of this Act, and their successors, *One-third* part of the whole number of the Councillors being present, from time to time and at all times hereafter, shall be and they are hereby constituted, named and styled "The County Council," and at their first meeting the Sheriff shall preside as Chairman, when all matters whatsoever connected with the election, whether as to the eligibility or qualification of the Councillors or Auditors or otherwise, shall in the first instance be proceeded with, and for that purpose the names of the Councillors and Auditors elected shall be called over by the Sheriff, and any rate-payer complaining of an undue election (provided such rate-payer shall previously to the meeting of such Council have presented a petition containing the grounds of his complaint to the Sheriff) shall be heard thereon; and the Council, if they shall think fit, may refer the matter of complaint to a Committee, to investigate the same, or otherwise make such order in the matter as they may deem proper; and if the Council should refer such matter of complaint to a Committee, they are hereby required, on the report of such Committee, to finally determine thereon: and at such first meeting and from time to time as occasion shall require, the Council shall elect a Councillor to be the Chairman of the Council, and such election shall be finally determined by the majority of votes of the Councillors then present, and if such votes shall be equal, the Sheriff presiding at such meeting shall have the casting vote, and immediately such Chairman shall have been elected, the Sheriff shall then cease to act as such, and shall take no further part in the proceedings of the Council.

Council to elect a Chairman.

33. Expenses of Sheriff or other persons to be defrayed out of the County Fund.

And be it further Enacted, That all expenses incurred by the Sheriff or by persons employed by him in any county in and about the said elections of Councillors, and all other expenses incurred by them in carrying into effect the provisions of this Act in regard to such elections, shall be defrayed by the Council of each county when assembled out of the county rates or funds of such county.

And

34. Executive Committee to be appointed.

And be it further Enacted, That a Special Council shall be held within *One* calender month next after the first day of meeting as aforesaid, of which *Ten* Days' notice shall be given to each Councillor, and from that time and ever afterwards a Special Council shall be held in every *Twelfth* succeeding month in every year, and like notices shall be then given; and at such Special Councils or adjournment thereof, the Councillors then present shall proceed to elect by the majority of votes, *Five* Councillors to constitute an Executive Committee to manage and conduct such matters and affairs as may be directed by the Council from time to time between and during the intervals of the sittings of the Council, and such Committee when elected, shall continue in office during the period of *Twelve* Months and until others shall be chosen in their stead, unless the Council, at a Special Council to be held for the purpose, choose other Councillors in their place, before the expiration of the *Twelve* Months, and the Executive Committee for the time being shall have full power and authority to meet and adjourn from time to time, and from place to place, and also at any time to call a Council for any purposes they may think proper, and to appoint the time and place of holding the same, and at all meetings of the Executive Committee one of the members present shall be appointed Chairman, and all questions which shall be proposed, discussed or considered at such meetings shall be determined by the majority of the Committee then present (the whole number present not being less than *Three*) and such Committee shall have have full power and authority to direct and manage all the affairs from time to time committed to their charge by the Council, and such Committee shall from time to time make reports of their proceedings, and be subject to the examination and control of the Council, and shall act according to all such orders and directions, and not otherwise, in and about the affairs referred to them, as shall from time to time be made by the Council; such orders and directions not being contrary to any express directions or provisions in this Act contained, and the Clerk of the Council shall attend such Committee and keep regular minutes and entries of their proceedings.

35. Remuneration of Executive Committee, Returning Officers, Inspectors and Valuators.

And be it further Enacted, That it shall and may be lawful for the Council from time to time, if they shall see occasion, to order and direct that an allowance to defray all incidental expenses consequent on the execution of the duties of the Executive Committee be made to each and every person who shall constitute such Committee; and also, that any and every person who shall be appointed to be a Returning Officer, Inspector or Valuator in any county, ward or parish under the authority of this Act, shall receive and

be entitled to receive such sum of money or allowance for his trouble as to the Council shall seem reasonable and proper.

36. Financial Functions of Justices of the Peace to cease.

And be it further Enacted, That from and after the first meeting of the Councillors under the provisions of this Act in any county, the Justices of the Peace of such county, whether assembled at their General, Special, Quarter or Petty Sessions, or any adjournment thereof, or at any other meeting whatsoever, or otherwise, shall not have any power to order or direct any County Rate to be made for any purpose whatsoever, nor to assess or tax any property within any parish, township or place, whether parochial or otherwise, nor to have or exercise any control, power or authority for the raising, assessing, levying or collecting any County Rate, nor to issue any precept or other order by themselves or any of them, or by their Chairman, or by the Clerk of the Peace under the authority of the said Justices or any of them, to the High Constable, Petty Constable, Churchwardens, Overseers of the Poor, Assessors or Collectors respectively, or to any other person or persons whomsoever, to make returns of the amount of the annual or other value of the property within the parish, township or place, whether parochial or otherwise, to which they respectively belong, nor otherwise by any ways or means, directly or indirectly, to interfere with the raising, levying, collecting, assessing or expending the County Rates; and that all jurisdiction, powers, authorities and control whatsoever heretofore vested in or exercised by the said Justices in, over or concerning the finances of the county, or any officers, persons, matters or things connected with such finances or paid thereout, shall as to such Justices thenceforth absolutely cease and determine, any letters patent, commission, grant, charter, custom or any general or local Act of Parliament to the contrary notwithstanding.

37. All financial Powers of Justices of the Peace transferred to the Council, &c.

And be it further Enacted and Declared, That all acts, matters, things and business heretofore lawfully and usually transacted and done by the Justices of the Peace for counties under or by virtue of any Act of Parliament, grant, charter or otherwise, for or concerning the defraying of the charges and expenses of such matters and things wherewith the County Rates are in any manner by law chargeable; and also all acts, matters, things and business heretofore usually and lawfully transacted and done by the Justices of the Peace for counties in respect to the auditing, settling and allowing of all public accounts relative to the county at large; and to the electing, nominating, appointing and removing of the Chaplains to county gaols, Officers and Keepers of bridewells, prisons, houses of correction, penitentiary houses, county lunatic asylums and all other county establishments, and of all police constables and other public

public Officers that now are in the nomination or appointment of the Justices of the Peace for counties, and whose salaries are payable out of the County Rates; and also all other acts, matters, things and business heretofore usually and lawfully transacted and done by the Justices of the Peace for counties in respect to the rating, laying and assessing of any County Rates or other charges upon or for the same, as well as to the levying, collecting, recovering or expending thereof, and to any other financial transaction whatsoever lawfully and usually transacted or done by the Justices of the Peace for any county at any Sessions of the Peace or at any other place or meeting, or in Sessions or out, or at any time or in any manner, or by any ways or means, and for whatsoever purpose, by virtue of or under the power or authority of any custom, usage, grant, charter or Act of Parliament whatsoever, shall be heard, determined, carried into execution, transacted and done solely and exclusively by the Council; and the Council are hereby vested with and shall enjoy, exercise, do and perform all the jurisdiction, powers, authorities and duties relative to the financial affairs of the county, and to the appointment, removal and control of Chaplains of county gaols, Officers and Keepers of houses of correction and penitentiary houses, bridewells, prisons, county lunatic asylums or other county establishments, and of all police constables and other public Officers whose salaries are paid out of the County Rates, and relative to all other persons, matters and things connected with such County Rates, or paid thereout as fully and effectually as the same have been heretofore enjoyed, executed, done and performed by the said Justices of the Peace for counties, to all intents and purposes whatsoever, any statute, law, custom or usage to the contrary in anywise notwithstanding.

38. Council to appoint Officers.

And be it further Enacted, That it shall be lawful for the Council from time to time and as occasion shall require, to nominate and appoint, to be removable at their pleasure, any fit or proper persons, not being a Councillor, to be their Clerk, Treasurer, Collector, and such other Officers and servants as they shall think necessary for carrying into execution the various powers and duties vested in the Council or Executive Committee by virtue of this Act, and shall and may from time to time, as they in their discretion shall see fit, discontinue the appointment of such Officers and servants, and shall and may take such security for the due execution of the respective duties of any Clerk, Treasurer or other Officers and servants as the Council shall think proper, and shall order to be paid to the Clerk and Treasurer and to every other Officer and servant as aforesaid such salary or allowance as the Council shall think reasonable and proper; and that it shall be lawful for such Council from time to time, and as often as a vacancy shall happen by death, resignation, removal

removal or otherwise of the Clerk or Treasurer or other Officer or servant, to nominate and appoint some other fit and proper person in the place and stead of the one causing such vacancy.

39. Treasurer not to be a Clerk or to hold any other office under the Council.

Provided always, and be it further Enacted, That it shall not be lawful for any person who shall be appointed to hold or exercise the office of Treasurer at the same time to hold and exercise, either by himself or his partner, or by any other person on his behalf, or for his benefit in any manner whatever, the office of Clerk to the Council, or any other office under the Council, and if any person shall at any time hereafter hold or exercise the office of Treasurer, and at the same time, either by himself or by his partner, or by any other person for his benefit in any manner whatever, hold or exercise the office of Clerk, or any other office under the Council, every such person so offending shall forfeit and pay any sum not exceeding *Two hundred* Pounds for every act, matter or thing done in the execution of any office other than that of Treasurer.

40. Adjournment of Meetings.

And be it further Enacted, That the Council shall and may at their several meetings from time to time adjourn themselves, at such time and times, at the usual or other place of meeting, as they or the major part of the Councillors shall think fit: Provided always, That no adjournment shall be made for a longer space of time than *Three* calendar Months next after the day of the last meeting; and if at any such meeting there shall not appear a sufficient number of the Council to act or adjourn, or if the Council appearing shall not adjourn such meeting, the Clerk to the Council shall and may from time to time, and as often as the case shall happen, adjourn such meeting to some other day within *Ten* Days then next following, to be held at the same place, and shall cause notice of such adjournment to be given to every Councillor *Three* Days previously to the day to which such meeting shall be adjourned.

41. Meetings on emergencies.

Provided always, and be it further Enacted, That if it shall on an emergency be thought necessary that a meeting of the Council should be held, it shall be lawful for any *Three* or more of the Council, or for the Clerk of the Council, by an order in writing signed by any *Three* or more of the Council, although not assembled at a meeting under this Act, to appoint such meeting by notice in writing, mentioning the time, place and specific object of such meeting, such time not being less than *Three* Days after the day of giving the notice for such meeting, and the Council shall thereupon meet accordingly, and all orders and proceedings of the Council at such meeting, relating to the particular subject on which such meeting shall have been called, shall be as valid as they would

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would have been in case such Council had met in pursuance of adjournment; and such meeting may be adjourned to and be held at such time and place as the Council shall think proper, in the same manner as any other meeting may be adjourned under this Act.

42. Notices of Meetings.

And be it further Enacted, That all notices by this Act directed to be given to the Council (and which are not by this Act otherwise directed or provided for), shall be given to the several Councillors in the name of the Clerk to the Council, by sending such notices by post, or by the delivery thereof to such respective Councillors, or by leaving the same at the last known or usual place of abode of the Councillors, and that notices so left shall be deemed and considered the same as personal notices.

43. Proceedings to be had at Meetings.

And be it further Enacted, That all orders, acts and proceedings authorized or required by virtue of this Act to be made, done and taken by the Council, and all matters and subjects in discussion, and all questions of adjournment and others that may come before such Council, shall and may be done and decided by the majority of such members of the Council who shall be present at any meeting held in pursuance of this Act, and not otherwise (except in cases herein specially provided for), the whole number of Councillors present at every such meeting not being less than *One-third* part of the number of the whole Council (except in cases where any other number is by this Act named for any particular purpose); and the votes of the Councillors shall be taken by Yeas and Nays, and the names of the Councillors voting for and against any subject in discussion shall be entered (if the same be required by any two Councillors present) in the book of minutes of the proceedings of the Council; and at every such meeting the Chairman shall not exercise or give any vote unless there is an equality of votes, and then he shall have a casting vote, and in no other case shall he have a vote; and no order or proceeding at any meeting of the said Council once made or taken shall be revoked or altered at any subsequent meeting, unless notice of the intention to propose the revocation or alteration thereof shall have been given at a previous meeting, held pursuant to the directions of this Act, and shall have been entered in the book of the proceedings of such Council, nor unless the number of Councillors present at such subsequent meeting be equal to that at the previous meeting.

Chairman to have only a casting vote.

No Order to be revoked without notice.

44. Committee may be appointed for general or special Purposes.

And be it further Enacted, That it shall be lawful for the Council from time to time, and so often as they shall think proper, to nominate and appoint such and so many Committees, either of a general or special nature, and of such number of Councillors as they may think fit, for any purposes which in the

discretion of such Council could be better regulated and managed by means of such Committees, and such Committees shall have full power and authority to do, execute and perform all matters and things whatsoever which the Council shall from time to time intrust to the management of such Committees, and such Committees shall meet at such times and in such places within the county of such Council as they shall think proper, and all powers which shall be vested in such Committees shall be exercised by the major part present at their respective meetings, and such Committees shall from time to time make reports of their proceedings to the Council: Provided always, That the acts of such Committees shall be submitted to the Council for their approval and confirmation.

45. Minutes of Proceedings of Council to be kept.

And be it further Enacted, That the Clerk to the Council for the time being shall in some book or books to be provided for that purpose, make true and regular entries of the names of the Councillors who shall attend at each of the meetings of the Council and Committees, and of all their orders and proceedings respectively, and the Chairman of such meetings at which such orders or proceedings shall be from time to time had or made, and the Clerk for the time being, shall sign the same at such respective meeting, or at the next meeting of the Council or Committee, as the case may be, and such entries shall be read as the first business of the next succeeding meeting of the Council, and every such book or books shall at all seasonable times be open to the inspection of every county rate-payer without fee or reward at the office of the Council.

46. Business of the County Council to be transacted in open Court.

And be it further Enacted, That all business in anywise appertaining to the assessment, application, management or expenditure of the county stock or rate, or of any fund or funds used or applied in aid thereof or contributory thereto, or to any matter or things, whereby or in respect whereof the said county stock or rate is or may be charged, as well as all other matters and things shall be done, transacted and discussed publicly and in open Council or Committee, and not otherwise, and that no order of the Council or Committee relating to the matters aforesaid shall be binding or effectual, unless the said order shall have been made and the matters relating thereto shall have been proposed and considered publicly, and in open Council or Committee as aforesaid.

47. Penalty inflicted by the Council for obstructing Proceedings.

And be it further Enacted, That the Council, Executive Committee and other Committees may severally punish, by fine or imprisonment, specified by warrant under the hand and seal of the Chairman thereof, every person who shall obstruct the proceedings of the Council or Committees when assembled, but such fine shall not exceed the sum of Pounds, nor the term of such imprisonment Days for any one offence.

And

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48. Any Councillor, if he shall be declared Bankrupt or Insolvent, shall lose his Office.

And be it further Enacted, That if any person holding the office of Councillor or Auditor shall be declared bankrupt, or shall apply to take the benefit of any Act for the relief of insolvent debtors, or shall compound by deed or instrument in writing with his creditors, then and in every such case such person shall thereupon immediately become disqualified, and shall cease to hold the office of Councillor or Auditor as aforesaid, and the Council thereupon shall forthwith declare the said office to be void.

49. Present Treasurers of Counties to continue in Office unless removed by the Council;

And be it further Enacted, That the Treasurers of every county, and all other Officers or servants appointed by the Justices of the Peace for county purposes at the time of the *commencement of this Act*, shall hold and enjoy their respective offices and employments, together with their respective salaries thereunto annexed, until they shall be respectively discharged or removed therefrom by the Council, and all such Treasurers, Officers and other persons, and their sureties, shall while they shall continue in office be subject to the like penalties and powers of removal, and to the like rules, regulations and proceedings as if such Treasurers, Officers or persons respectively had been appointed under and by virtue of this Act, and every such Treasurer and other Officer or person who shall have in his possession or custody any money collected or the execution of their respective offices, shall account for and pay received, or any books, deeds, papers, writings or effects relating to to and deliver up all such monies, books, deeds, papers, writings and effects to the County Council, or to such person as they shall appoint to receive the same, in the same manner and subject to the same process, pains and penalties for refusal or neglect as if the said Treasurers and other Officers and persons had been appointed by the Council for executing this Act.

and to account.

50. Treasurer before he acts to give security by Bonds with one or more Sureties.

And be it further Enacted, That the Treasurer of the Council, before he shall do any act in the execution of his office, shall, together with *One* or more person or persons to be approved of as his surety or sureties by the Council, enter into *One* or more bond or bonds in writing under his and their hands and seals to the Clerk of the Council for the time being (who for that purpose shall be and be deemed a body corporate), and to his successors, in such penalty or penalties as the Council shall approve to be conditioned for the due and faithful execution of the trusts reposed in the Treasurer of the Council so long as he shall continue in that office, and for the duly accounting by such Treasurer, his executors and administrators, for all such rates, assessments and other monies as shall come to the hands of such Treasurer by virtue of his office, and for paying over the same to such person or persons as the Council shall direct, and also for his

making true accounts in writing from time to time of all monies by him respectively received or collected for the purposes of this Act; and the Clerk shall produce to and lay before the Council, at least *Twice* in every year, such bond or bonds for inspection and consideration, and shall enter in the book of proceedings of the Council a minute or memorandum of the same having been so done.

51. Treasurer to keep Accounts of Receipts and Disbursements.

And be it further Enacted, That the Treasurer of the Council shall, in a proper book or books to be provided and kept for that purpose, enter, or cause to be entered, true and regular accounts of all sums of money by him received and expended under the authority of this Act, and of the several matters and things and the several purposes for which the same shall have been expended, all which book or books shall at all times be open to the inspection of any of the Councillors, and to the inspection of any county rate-payer, without fee, at the office of the Council; and the said books of account and the vouchers shall be examined once in every quarter of a year or oftener by the Executive Committee, and once in every quarter of a year all the accounts, with all vouchers and papers relating thereto, shall be submitted by the Treasurer of the Council to the Auditors (herein provided to be elected) for the purpose of being examined and audited, which Auditors, or *Three* of them at least, shall forthwith proceed to audit and examine the same accounts and vouchers, and having so done, they, or *Three* of them, if the said accounts shall be found to be correct, shall sign the same, and make a report in writing of the result of their audit to the Council, and shall subscribe with their respective names and hand-writing such report; and after such accounts shall be so examined, audited and signed, the said Treasurer shall, within *Fourteen* Days after the last quarterly audit in each and every year, make out in writing, a full and correct copy of his accounts for the whole year, and the Council shall and are hereby required to cause an abstract thereof with the quarterly reports of the Auditors to be printed, and the Council shall transmit a printed copy thereof to the Overseers of the poor of every parish or extra-parochial place in every ward in the county contributing to the county rate, for the information of the county rate-payers of such respective parishes and extra-parochial places; and copies thereof shall be open to the inspection of all the county rate-payers, without fee, in the office of the Council; and copies thereof shall be delivered to all rate-payers of the county applying for the same, on payment of a reasonable price for each copy.

Accounts to be examined quarterly.

52. General Report of the Council to be laid before the Secretary of State and Parliament.

And be it further Enacted, That the Council shall on or before the *Twenty-fifth* day of *March* in every year submit to His Majesty's Principal Secretary of State for the Home Department, a general report

report of their proceedings, and also an account of all monies due, received and expended, the same being arranged under respective heads, together with the quarterly reports of the Auditors; and every such general report and account of monies and reports of Auditors as aforesaid shall be laid before both Houses of Parliament within *Six* Weeks after the receipt of the same by such Secretary, if Parliament be then sitting; or if Parliament be not sitting, then within *Six* Weeks after the next meeting thereof.

53. Officers to account according to the Orders of the Council.

And be it further Enacted, That every Clerk, Treasurer or other Officer or servant appointed by the Council as aforesaid, shall at such times during the continuance of his office, or within *One* Month after the expiration of his office, and in such manner as the Council shall direct, deliver to the Council, or to such person as they shall authorize for that purpose, a true account in writing of all matters and things committed to his charge by virtue of this Act or by order of the Council, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments; and also a list of the names of all such persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount due from each of them; and every such Officer or servant shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such person as the Council shall authorize to receive the same; and if any such Officer or servant shall refuse or wilfully neglect to deliver such account or the vouchers relating to the same, or such list as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the Council, or to such person as they shall authorize, within *Three* Days after being thereunto required, by notice in writing under the hands of any *Three* or more of the Council, to be given to or left at the last place of abode of such Officer or servant, all books, papers and writings in his custody or power relating to the execution of this Act, or to give satisfaction to the Council, or to such other person as aforesaid, respecting the same, then and in such case, upon complaint made on behalf of the Council by such person as they shall appoint and authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace to be appointed by this Act, and such Justice is hereby authorized and required to issue a warrant under his hand and seal for bringing such Officer or servant before any *Two* such Justices of the Peace, and upon the said Officer or servant appearing or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way; and if it shall appear to such Justices that any monies

Remedy against Officers not accounting.

remain due from such Officer, such Justices may and they are hereby authorized and required, upon non-payment thereof, by warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods and chattels of such Officer; and if sufficient goods shall not be found to satisfy the said monies and the charges of the distress, or if it shall appear to such Justices that such Officer has refused or wilfully neglected to deliver such accounts, or the vouchers relating thereto, or such list as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such Officer, and that he has refused or wilfully neglected to deliver the same, or to give satisfaction respecting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the common Gaol or House of Correction for the county in which such offender shall be or reside, there to remain without bail until he shall have paid such monies as aforesaid, or shall have compounded with the Council for such monies, and shall have paid such composition in such manner as they shall appoint (which composition the Council are hereby empowered to make and receive), or until he shall have delivered a true account as aforesaid, together with such vouchers and lists as aforesaid, or until he shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the Council, or to such other person as aforesaid, as the case may be: Provided always, That no person so committed shall be detained in prison for want of sufficient distress only for a longer space of time than *Three* calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such Officer or servant so offending as aforesaid, or against any surety for such Officer or servant, but such Officer or servant shall not be sued by action and also proceeded against in a summary manner by virtue of this Act for the same cause.

Proviso.

Remedy by Action.

54. Council to make and collect fair and equal County Rate whenever occasion may require.

And be it further Enacted, That it shall be lawful for the Council and they are hereby authorized and empowered from time to time, and as often as there shall be occasion, to make and impose a fair and equal County Rate or Rates, assessment or assessments on all the rateable property within the county of the Council, for all the purposes to which county stock or rate is now or shall hereafter be made liable by law, and for that purpose to assess, levy and collect such rates or assessments from every person charged or chargeable therewith in every parish, township and other place, whether parochial or extra-parochial within such county, rateably and equally according to a certain pound rate (to be from time to time fixed and publicly declared by the Council)

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of the annual value of the rateable property therein; and it shall be lawful for such Council to employ such Collectors of such rates and make such allowances by way of salary or poundage to such Collectors as to the Council shall seem proper and expedient, any law or statute to the contrary notwithstanding.

55. Collector to receive and enforce payment of Rates.

And be it further Enacted, That it shall be lawful for every person appointed a Collector of the rates to be made in pursuance of this Act, to receive, levy and collect such rates, together with all arrears of former rates, quarterly or otherwise, and every person who by virtue of this Act is charged or chargeable with any of the said rates, shall and is hereby required to pay such rates and arrears of rates to such Collector accordingly; and for the better enabling such Collector so to receive, levy and collect the said rates, it shall be lawful for the said Collector to execute all such warrants of distress as shall be granted from time to time by the Council against any person neglecting or refusing to pay such rates, and shall have the same powers, remedies, protection and privileges with reference to levying the County Rates as the Overseers of the Poor have in levying the rate for the relief of the poor.

56. Council may issue Warrant to Overseers to levy and collect the County Rate, or to pay the sum mentioned in Warrant out of the Poor Rate.

Provided always nevertheless, and be it further Enacted, That it shall be lawful for the Council, and they are hereby authorized and empowered from time to time, as often as they shall deem it necessary, to issue a warrant or precept, under the several hands of the Chairman of such Council and of at least *Three* Councillors in Council assembled, to the Overseers of the Poor of any parish, township, precinct or place within the county of the Council, and by such warrant or precept they shall command the Overseers either separately to levy and collect the County Rate, or to pay the gross amount of the sum mentioned in such warrant out of the money collected for the relief of the poor in such parish, township, precinct or place as the Council in their discretion may direct, and which warrant shall specify the rate in the pound at which the County Rate for the time being shall be computed and the gross amount of the sum required, and that the Overseers shall pay over the amount mentioned in such warrant within a time to be named and limited therein to the Treasurer of the Council or to some other person appointed by the Council.

57. Provision for assessing and levying the County Rate in those places where there is no Poor Rate.

AND whereas it is expedient to provide for those precincts and places in which no rate is made for the relief of the poor, or in which property may be deemed not to be rateable thereto; BE it therefore Enacted, That the respective inhabitants and occupiers of all messuages, lands, tenements, hereditaments and other rateable

property in any precinct or place, whether parochial or extra-parochial, in any county, although such messuages, lands, tenements, hereditaments and other rateable property may not be rated to the relief of the poor, or may be deemed not to be rateable thereto, shall nevertheless be liable to contribute to the expenses of the county under this Act, as if the property so inhabited or occupied were rateable and rated to the relief of the poor; and that such precinct or place shall for the purposes of this Act be deemed within the parish adjoining thereto, being situate within the same ward, and if such precinct or place shall adjoin two or more parishes so situate as aforesaid, it shall be deemed to be within the least populous of such parishes, according to the last Census for the time being, and the Overseers of the Poor of every such parish shall act as Overseers within such precinct or place for assessing, levying and collecting the County Rate, as fully and effectually to all intents and purposes as if such precinct or place had been part of such parish.

58. Overseers shall collect the County Rate in the same manner as the Poor Rate.

And be it further Enacted, That the Overseers of the Poor of every parish, union of parishes, township, precinct or place in every county to whom such warrant as aforesaid shall be issued, shall, if so ordered by such warrant as aforesaid, pay the amount mentioned in the warrant out of any money in their hands collected for the relief of the poor, or if there be no such money in their hands or an insufficient sum, they shall levy the amount required as a part of the rate for the relief of the poor, and shall for that purpose proceed in the same manner, and have the same powers, remedies and privileges as for levying money for the relief of the poor, and such Overseers shall pay to the Treasurer of the Council, or other person appointed and authorized by the Council to receive the same, the amount mentioned in the warrant within the time specified for that purpose, and at the time of making any payment to the Treasurer or other person as aforesaid, shall deliver to the Treasurer or other person as aforesaid, a note in writing, signed by them, specifying the amount so paid, which shall be kept by the Treasurer or other person as aforesaid, as a voucher for his receipt of that particular amount, and the receipt of the Treasurer or other person as aforesaid, specifying the amount paid to him by the Overseers, shall be a sufficient discharge to the Overseers for such amount, and shall be allowed as such in passing their accounts with their respective parishes, townships, precincts or places or unions of parishes under any Poor Law or other Act.

Receipt of the Treasurer shall be a sufficient discharge.

59. Overseers on non-payment of the County Rate shall be distrained upon.

And be it further Enacted, That in case the Overseers in any parish, township, precinct or place shall refuse or neglect to levy and collect any County Rate or Rates, or to pay the amount ordered by such warrant as aforesaid, to be paid to the Treasurer or other person

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person as aforesaid within the time specified for that purpose in the warrant, the Council, upon complaint thereof made to them by the Treasurer or other person as aforesaid, may issue their warrant for levying the amount, or so much thereof as may be in arrear, by distress and sale of the goods of all or any of the Overseers, and the Council, in case of any default or neglect of any Overseer, may appoint two or more persons to act as Overseers of the Poor within any parish, township, precinct or place in the county for levying the rates and charges for the purposes of this Act, and the persons so appointed shall proceed in the same manner and shall have the same powers, remedies and privileges, and shall be subject to the same regulations and penalties with reference to the levying of such rates and charges as if they had been appointed Overseers of the Poor by virtue of any law or laws now in force.

In case of default, &c. occasional Overseers may be appointed for levying the County Rate.

60. And be it further Enacted, That the Justices of the Peace shall, _____ times at least in every year, hold a Petty Sessions, consisting of *Two* or more Justices, for hearing appeals against the rates of the several parishes within each respective Ward of a county, and for other purposes, and shall cause public notice of the time and place when and where within the Ward such Petty Sessions will be holden, to be given in every parish as such notices are usually given, *Seven* Days at the least before the holding of the same, and such Petty Sessions shall and may be adjourned from time to time by the Justices there present as they may think fit, and such Petty or Adjourned Sessions shall hear and determine all objections to any rate or other matter; and the Council may, as they see occasion, appoint any fit and duly qualified person to act as Clerk to such Justices at such Petty Sessions, and may remove such person from such appointment, and assign out of the County Rates such salary to such Clerk as to them may seem fit and proper: Provided always, That no such objection shall be inquired into by the Justices, unless notice in writing of such objection to any County Rate, under the hand of the Complainant, shall have been given *Fourteen* clear Days at least before the day appointed for such Petty Session to the Clerk of the Council of the county.

Justices to hear Complaints and Objections to Rates and determine same.

61. And be it further Enacted, That the Justices present at any such Petty or Adjourned Session, shall, for the aforesaid purposes, have all the powers of amending or quashing any such rate so objected to of any parish within the Ward, and likewise of awarding costs to be paid by or to any of the parties, and of recovering such costs which any Court of Quarter Sessions of the Peace has upon appeals from any rate.

Justices may act, as regards Rates, with all the powers of Justices in Quarter Sessions.

62. Like power and Authorities vested in Council as the High Constables had under recited Acts.

And be it further Enacted, That the Council of every county for the time being shall have and be invested with such and the same or the like powers and authorities to demand, collect, raise, levy, receive and give receipts for the County Rates assessed or to be assessed upon each and every township, parish and precinct within every county, and the several penalties, allowances, compensations and other expenses in or by the said several recited Acts respectively authorized, directed or required to be demanded, collected, raised, levied or received by the High Constables, as the High Constables of the several hundreds, divisions and liberties of every county would, under or by virtue of the said several recited Acts, or any of them, have had or been invested with in case this Act had not been passed, and that such Council for the time being accordingly shall and are hereby directed and required, in exercise of such powers and authorities, to demand, collect, raise, levy, receive and give receipts for the same rates, penalties, allowances, compensations and expenses at or within such time or times and in such manner and form, in all respects, as the High Constables of the several hundreds, divisions and liberties of every county would, under or by virtue of the said recited Acts, or any of them, have been liable, or directed or required to demand, collect, raise, levy, receive and give receipts for the same in case this Act had not been passed.

63. Overseers, &c. empowered to pay Rates to the order of the Council instead of to the High Constable.

And be it further Enacted, That from and after the *passing of this Act*, the Overseers of the Poor, Petty Constables and other Peace Officers of each and every parish, township and place within every county, and other the person or persons under or by virtue of the said recited Acts, or any of them, authorized, empowered, directed or required to pay the said rates, penalties, allowances, compensations and expenses to the High Constables of the several hundreds, divisions and liberties of every county, do and shall and they respectively are hereby authorized and empowered, directed and required to pay to the Council, at such place within the county as the Council shall from time to time direct, all and every the rates, penalties, allowances, compensations and expenses which, under or by virtue of the said recited Acts, or any of them, they respectively would in case this Act had not been passed have been authorized or empowered, directed or required to pay to the High Constables of the several hundreds, divisions and liberties of every county, at or within such time or times and in such manner and form, in all respects, as the same respectively would have been payable to such High Constables in case this Act had not been passed, and the receipt or receipts of the Treasurer of the Council for the time being shall be a full and sufficient discharge to such Overseers of the Poor, Petty Constables, Peace Officers, or other person or persons paying the same, and shall be allowed in their accounts as such by the Justices

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of the Peace or other person or persons before whom such accounts shall be passed.

64. Parish Officers to be liable to same Penalties for default.

And be it further Enacted, That from and after the *passing of this Act*, the several Overseers of the Poor, Petty Constables, Peace Officers, and other persons who in case this Act had not been passed would, under or by virtue of the said several recited Acts, or any of them, have been subject or liable to any pain, penalty, fine or forfeiture, distress or distresses, for making default in paying or neglecting, or refusing to pay to the High Constables of the several hundreds, divisions and liberties of every county, any rates, penalties, allowances, compensations or expenses, by all or any of the same several Acts authorized or directed to be paid by them to such High Constables, shall be and they respectively are hereby made subject and liable to such and the same or the like pains, penalties, fines and forfeitures, distress and distresses, for making default in paying or neglecting, or refusing to pay to the Council the several rates, penalties, allowances, compensations and expenses hereby authorized or directed to be paid by them respectively, as they would, in case this Act had not been passed, have been under or by virtue of the said several recited Acts, or any of them, subject or liable to for making default in paying or neglecting, or refusing to pay the same respectively to the High Constables for the several hundreds, divisions and liberties of every county, and the same shall be paid and payable to, and received and receivable, and levied and made by the Council of every county for the time being, who are hereby authorized, directed and required to receive, raise, levy and make the same accordingly.

65. Rates, &c. made under recited Acts to continue in force.

And be it further Enacted, That all rates and assessments ordered or directed to be assessed, collected and levied by and under the authority of the said recited Acts (and which shall be uncollected or in arrear at the time of the commencement of this Act), and all fines and penalties, costs, charges, expenses and sums of money which have been or shall be incurred or become due under the said recited Acts (and which shall remain unpaid or unrecovered at the time of the *commencement of this Act*), shall and may be collected and recovered by the Council in the same manner and by the same ways and means as if such rates and assessments had been made or become due, and as if such fines and penalties, costs, charges and expenses, and sums of money had been incurred or become due under the provisions of this Act.

66. All Persons having Books relating to the County Rate required to give them up to the Council.

And be it further Enacted, That all Justices of the Peace, Clerks of the Peace, County Treasurers, Overseers of the Poor, and all other persons who at the time of the first meeting of the Council shall have in their possession any money, securities for money, books, books of account, documents, papers, writings, vouchers, or any other effects of or belonging or relating to the County

Rate or stock, shall on demand deliver up the same to the Clerk of the Council, or to such other person appointed to receive the same by the Council.

67. Counties liable to Debts under recited Acts to continue so.

And be it further Enacted, That this Act, and the rates hereby authorized to be made and assessed, shall be and the same are hereby made subject and liable to the payment of all monies which at the time of the *commencement of this Act* are or shall be due and owing on the credit of the County Rates of the county then liable for the same, and of all interest due and to grow due thereon, as fully and effectually to all intents and purposes as if such monies had been borrowed and become due on the credit of the rates made for such county under the authority of this Act.

68. Council may appoint Police Constables.

And be it further Enacted, That it shall be lawful for the Council and they are hereby authorized and empowered from time to time, and as often as they shall deem it necessary, to appoint, or to authorize any fit and proper person to appoint, any number of fit and able men to act as a Constabulary Force or as Police Constables or Peace Officers, in or for the whole or any part of the County of the Council; and to superintend, suspend or dismiss, or to authorize any person to superintend, suspend or dismiss, such men so appointed, as the Council or such duly authorized person may think fit; and it shall be lawful for the Council to pay out of the rates raised by virtue of this Act to such men so appointed such salaries, wages and allowances as to the Council may seem proper, and such men when so appointed shall have and enjoy all such powers, authorities, privileges, protection, advantages and immunities, and be subject and liable to such and the like duties, responsibilities, penalties and forfeitures as any Constable is invested with, or shall be liable to by virtue of the common law of this realm, or of any statutes made or to be made, and shall obey all such rules, regulations and commands as they may from time to time receive from the Council: Provided always, That when and as often as the Council, or person by them duly authorized shall suspend or dismiss any of such men so appointed, then and immediately thereupon all powers vested in any person so suspended or dismissed by virtue of such appointment shall immediately cease and determine.

69. County Council may make Bye-laws.

And be it further Enacted, That it shall be lawful for the Council, and they are hereby authorized and empowered from time to time and at all times hereafter, for the better execution of this Act, and for the regulation of the Constabulary Force, and for all other the purposes of this Act, subject to the approbation of One of His Majesty's Principal Secretaries of State, to make, constitute, ordain and establish all manner of wholesome and reasonable laws, ordinances, bye-laws, rules, orders and regulations as to the Council shall seem meet, and also

also from time to time to repeal, amend or alter such laws, ordinances, bye-laws, rules, orders and regulations, and to make other laws, ordinances, bye-laws, rules, orders or regulations instead thereof, as to the Council shall seem meet or requisite, and to impose and inflict such reasonable fines upon all persons offending against such laws, ordinances, bye-laws, rules, orders and regulations or any of them not exceeding the sum of for any one offence as the Council shall deem necessary or expedient, and all which laws, ordinances, bye-laws, rules, orders and regulations shall be entered in a book or books, to be for that purpose kept by the Clerk of such Council, and shall then be binding, and observed by all parties.

70. Fines to be recovered as other Penalties are to be recovered.

And be it further Enacted, That all such fines to be imposed by the said bye-laws, rules, orders and regulations, shall and may be recovered, levied and mitigated by such ways and means, and in manner and form prescribed by this Act for the recovery of the penalties thereby imposed, and the same shall be paid to the Treasurer, and applied to county purposes.

71. Copy of the Bye-laws to be hung up in some conspicuous part of Council-house and other places.

And be it further Enacted, That a copy of all the several bye-laws, rules, orders and regulations by this Act authorized to be made shall be signed by the Clerk of the Council, and shall be and remain affixed or hung up in some conspicuous part or parts of the Council-house or place of meeting of the Council, and also at the office of the Clerk of the Council.

72. The Council to cause a Valuation of the County, with power to appoint Valuators.

And be it further Enacted, That it shall and may be lawful for the Council of each and every county in England and Wales, and they are hereby required, as soon as may be after the *passing of this Act*, to cause a valuation to be made of all rateable property within the several parishes and other divisions of the county, and for that purpose to nominate and appoint any number of persons, not less than *Three* nor more than *Nine* in number in the whole, who shall have been professionally employed in or conversant with the surveying and valuing of lands and houses, to be Valuators for such county, and to remove all or any such Valuators from time to time, and to nominate any other person or persons to be a Valuator or Valuators in the place and stead of the person so removed, and previously to the appointment of any person to be a Valuator, the said Council shall ascertain and be satisfied that he is competent for acting as such Valuator.

73. Valuator to subscribe a declaration.

And be it further Enacted, That every such Valuator shall, before he shall enter upon the execution of his office, make and subscribe the following declaration before the Council or Executive Committee; (that is to say)

"I, A. B., do declare that I will faithfully, impartially and honestly, according to the best of my skill and judgment, fulfil all the

duties of a Valuator, under an Act passed in the year of the reign of King WILLIAM the Fourth, intituled [here set forth the title of this Act]."

And which declaration when so made and subscribed shall be preserved with the Records of the Council.

74. Valuators to value in Parties of Three.

And be it further Enacted, That the valuation of all lands and tenements in every parish or other division of any county shall be made by separate parties, each consisting of *Three* of such Valuators in company with each other, according to an arrangement to be made by the Council, and every such party of *Three* Valuators shall and may value any such parish or parishes or other division of any county as shall be committed to their charge by such Council.

75. Council may give orders as to conduct of Valuators and method of Valuation.

And be it further Enacted, That it shall be lawful for the Council to give such orders, instructions and directions for the conduct of the said Valuators respectively in the discharge of their several duties as to such Council shall from time to time seem fitting and expedient, and to give, if they think fit, to such Valuators one uniform scale or standard for making such valuations, which such Valuators are to adopt, and none other.

76. Valuators may enter upon Land for the purposes of such Valuation.

And be it further Enacted, That for the purpose of making such valuations, it shall and may be lawful for any Valuator or Valuators appointed by virtue of this Act, and they are hereby respectively authorized and empowered from time to time, at any reasonable time in the day-time, to enter into and upon, and to go through and over any land or ground of any person or persons whomsoever, for the purpose of making and carrying on any valuation authorized by this Act, without being subject to any action or molestation for so doing.

77. Valuators shall enter Valuation of each Parish in a separate Book, and transmit the same to the County Council.

And be it further Enacted, That the Valuators who shall make any such valuation shall enter the particulars of the valuation of each and every parish or other division of a county which they shall value when and as each such valuation shall be completed, in a separate and distinct book, according to the form (H.) in the said Schedule, to be appropriated to each and every such parish or other division of a county respectively, and to be distinguished and entitled as the Survey and book of each such particular parish and other division of a county respectively, distinguishing the Ward in which such parish or other division of a county shall be situate; and such Valuators shall sign every such book with their several names in their several and respective hand-writings, with the date of completing such valuation; and such Valuators shall transmit or deliver every such book of every such parish or other division of a county so signed, to the Council for the county in which every such parish shall be situate.

And

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78. Council shall make a copy of Valuation Books, and transmit the same to the Overseers.

And be it further Enacted, That when and so soon as such valuations of all the parishes within any Ward shall be completed, the Council shall prepare and make a copy of such books as aforesaid, and shall transmit so much of such copy as relates to each parish to the Overseers of the parish to which the same may relate, and every such Overseer, within *Ten* Days after the receipt of such copy, shall post and affix a copy thereof on the principal outer door of the church within such parish, there to remain affixed for *Two* successive Sundays from *Nine* of the clock in the forenoon until *Five* of the clock in the afternoon of such Sundays, and if such copy shall be removed from the door of the church where the same shall have been posted or affixed as aforesaid, or shall be destroyed or defaced after the affixing the same, the Overseer, as the case shall require, shall from time to time post and affix, or cause to be posted and affixed, a new copy thereof on the door of such church.

79. Overseers shall call a Vestry, to consider the Valuation and the propriety of appealing against it.

And be it further Enacted, That within *Ten* Days next after the receipt of such copy as aforesaid by the Overseers of any parish, public notice shall be given by such Overseers, in the usual manner of notices given for holding Vestries in such parish, that a Vestry will be holden in and for such parish on some day to be named in such notice, not being less than *Ten* Days nor more than *Fourteen* Days from the Sunday on which any such copy shall have been first affixed on the door of the church in such parish, for the purpose of taking such valuation into consideration, and to determine on the necessity or propriety of appealing against the same, and such Vestry so assembled may proceed to take such valuation into consideration, and may adjourn from time to time to any day, not more than *Ten* Days distant from the first day of meeting.

80. If Vestry agree to appeal, a Notice thereof and the grounds of Appeal shall be sent to the Clerk of the Council.

And be it further Enacted, That if on the first day of the meeting of such Vestry, or at any adjourned meeting thereof, which shall be held on any day not more than *Ten* Days distant from such first day of meeting, it shall be determined that an appeal shall be made against any valuation of the whole or part of such parish as compared with any other parish within the county, it shall be lawful for such Vestry to direct that such appeal shall be made, and a memorandum of the agreement to make such appeal, or some minute or entry of the same, and of the grounds of such appeal, shall be stated in writing, and shall be entered in the books of such Vestry, and shall be signed by some one or more of the Overseers of such parish and *Four* other persons present at such Vestry, and a copy of such memorandum of such agreement and the grounds of such appeal shall be transmitted by the Overseers, within *Four* Days after such meeting, to the Clerk of the Council for the county in which such parish shall be situate, and shall be held to be sufficient notice on the part of such parish of their intention to appeal.

81. Clerk of Council, within Two Days after Notice of Appeal, to transmit a Copy thereof to the Executive Committee.

And be it further Enacted, That the Clerk of the Council shall and he is hereby required within *Two* Days next after he shall have received such notice of appeal as aforesaid, to transmit a copy of such notice of appeal to each member of the Executive Committee, who are hereby required to assemble within *Ten* Days at least after the receipt of such notice, and then to appoint a day and convenient place within the parish making such appeal for the meeting of such Committee for the hearing of such appeal, and to cause a written notice signed by the Chairman of such Committee, stating therein the day and place for the sitting of such Committee, to be transmitted to the Overseers of such parish; and it shall be lawful for such Committee, and they are hereby required to assemble at the day and place appointed for the hearing of such appeal, and may adjourn from time to time as they shall see fitting and convenient.

Executive Committee to meet in some place within the Parish appealing.

82. Books shall be produced before the Executive Committee.

Who may summon Witnesses.

And be it further Enacted, That the Clerk of the Council shall produce before such Committee all or any of the books which shall have been transmitted to the Council from the Valuators of any parish in case the same shall be required by such Committee, or in case the Council shall think it requisite so to do; and it shall be lawful for such Committee to send their precept or precepts, under their hands or the hands of any *Two* of them, to any person or persons whomsoever, to attend and appear and be examined before such Committee, and all persons who shall be called upon or summoned by any such precept shall and they are hereby required and directed to attend such Committee, at such time and times and place and places as shall be appointed; and it shall be lawful for such Committee or any member thereof, and they and he is and are hereby authorized and empowered to examine any such person or persons, and all such persons shall answer to all questions which shall be lawfully put to them by such Committee or any member thereof.

83. Executive Committee may direct Re-valuation or confirm the original Valuation.

And be it further Enacted, That upon the hearing of such appeal, in case it shall appear to such Committee, upon evidence before them, that there is any just cause of complaint against such valuation so appealed against, or any part thereof, either by reason of the disproportion of the valuation of the parish as compared with the valuation of any other parish, or by reason of not having been valued with reference to the scale or standard fixed for such valuation by the Council, or on any other account whatsoever, it shall be lawful for such Committee, if they shall consider a new valuation to be necessary, to direct that a new valuation shall be made of the parish contained in such valuation, by three Valuators of and for the county in which such parish shall be situate, and who shall not have been employed or engaged in making the valuation appealed against, and such Committee shall order that such new valuation shall be made, and shall be produced before such Committee by such Valuators,

Valuators, on a day to be appointed for that purpose by the said Committee, to which day it shall be lawful to such Committee to adjourn accordingly, and at such adjourned meeting of such Committee, it shall be lawful for the said Committee, and they are hereby authorized and required to compare such new valuation with the former valuation of the same parish appearing in the books made on the first valuation thereof respectively, and to make such alterations or amendments in the amount of such first valuation, or otherwise to confirm the same, in such manner as to such Committee shall appear to be consistent with the justice of the case.

84. Costs by Parishes, on Appeal, to be defrayed by the Overseers of the Poor.

And be it further Enacted, That the costs incurred by or on behalf of any parish, in the bringing and hearing of any such appeal, shall be paid and satisfied by the Overseers of the Poor out of the rates levied for the relief of the poor in any such parish.

85. Where no Appeal, such Valuation shall be conclusive.

And be it further Enacted, That where no appeal shall have been made against any such valuation within the time directed by this Act, such valuation, as stated in the book prepared by the Valuators under the directions of this Act, shall be conclusive.

86. Valuation of the Parishes, Wards or other Divisions, when finally settled, shall be signed by the Chairman and Committee.

And be it further Enacted, That when such Committee shall have come to a final decision, the book of the several parishes, wards or other divisions, and the valuation thereof, as finally settled, shall be signed by the Chairman and by *Three* at least of the members of such Committee, and preserved as records of the county, and the same shall be open to the inspection of any county rate-payer at all seasonable hours without payment of any fee.

87. All County Rates shall be levied according to the Sums and Proportions in such Valuation so signed.

And be it further Enacted, That from and after the day on which such book and valuation shall be so signed as aforesaid, all County Rates imposed or to be imposed on such county, or to be raised off such county, or any ward, parish or division thereof, shall be assessed and levied on such county, and on every ward, parish or other division therein, according to the proportions specified in such book and valuation so signed, and not otherwise, any law, usage or valuation to the contrary in anywise notwithstanding.

88. Any person aggrieved may appeal to the Executive Committee.

And be it further Enacted, That if any person shall think himself aggrieved by the valuation of his property made under or in pursuance of this Act, he may at any time appeal to the Executive Committee, at any of their meetings, on giving *Ten* Days' notice to the Clerk of the Council, of such his intention, and also a statement in writing of the grounds of his objection; and the Executive Committee may examine the person appealing, and any witnesses touching or concerning the matter of such appeal, and grant or refuse relief to the person appealing, and make such order therein as to them shall seem meet.

89. Appeal to the Quarter Sessions.

Provided always, and be it further Enacted, That if the Vestry of any parish or any person appealing shall dissent from or shall disagree with the determination of such Executive Committee, it shall and may be lawful for such Vestry, or other person, within the space of *Four* calendar Months next after such decision of the Executive Committee, to appeal against such decision to the Justices of the Peace at any General or Quarter Sessions of the Peace to be held in and for the county, such appellants first giving or causing to be given at least *Ten* Days' notice in writing of the intention to appeal as aforesaid, and of the matter or cause thereof, to the Clerk of the Council, and within *Four* Days after such notice entering into a recognizance before some Justice with Two sufficient sureties conditioned to try such appeal, and to pay such costs as shall be awarded by the Justices at such Sessions; and such Justices, upon due proof of such notice being given as aforesaid, and of such recognizance being entered into, shall hear and finally determine the matter and cause of such appeal in a summary way, and shall and may, according to their discretion, award such satisfaction and costs, to the party appealing or appealed against, as they shall think proper.

90. Officers not to take any Fee or Reward.

And be it further Enacted, That if any person who shall be employed as a Treasurer, Clerk, Surveyor, Collector, or any other Officer or servant employed by the Council for the purposes of this Act, shall exact, take or accept any fee or reward whatsoever other than such salaries, allowances and rewards as shall be appointed, allowed or approved by the Council for or on account of any thing done or to be done by virtue of this Act, or for forbearing to do any thing ordered or directed by the Council, or on any account whatsoever relative to his or their employment or duty, every such person so offending shall be incapable afterwards of serving or being employed under this Act, and shall forfeit and pay the sum of for each offence.

91. Council may sue and be sued in the Name of the Clerk.

And be it further Enacted, That the Council of any county may sue and be sued for or concerning any thing which shall be done by virtue or in pursuance of this Act in the name of their Clerk for the time being, and no action or suit to be so brought or commenced by or against such Clerk shall abate or be discontinued by his death, removal or default, but shall be continued and carried on in his name, and such Clerk shall be deemed plaintiff or defendant in such action or suit (as the case may require): Provided always, That any such Clerk in whose name any action or suit shall be commenced, prosecuted or defended in pursuance of this Act, shall not by reason of his being such Clerk be rendered incompetent or inadmissible

missible as a witness in any such action or suit as aforesaid, unless such Clerk shall be personally or individually interested or concerned therein.

92. His Majesty's Commission may be issued for certain Persons to act as Justices in any County.

AND whereas until the reign of His Majesty's predecessor King EDWARD the Third, it was the common law right, and established custom of the freeholders in open county, to elect all ministers for the preservation of the peace, which ancient right and custom tended much to the public advantage: AND whereas it would afford satisfaction and give confidence to the Rate-payers if the Council were empowered to recommend persons to be assigned to be His Majesty's Justices of the Peace; BE it therefore further Enacted, That it shall be lawful for the Council from time to time to name such number of fit persons, as to the Council may seem necessary or expedient, for the purpose of being appointed by His Majesty's Letters Patent to act as Justices of the Peace in and for the county, and His Majesty thereupon may assign so many of the persons so named, as to His Majesty shall seem fit, to be His Majesty's Justices of the Peace for the county.

93. Justices need not be qualified by Estate.

And be it further Enacted, That every person so assigned to keep the peace within a county under the provisions of this Act, shall have and execute all the duties, powers and authorities of a Justice of the Peace in and for the county for which he shall have been so assigned, although he may not have such qualification by estate as is required by law in the case of other persons not so nominated being Justices of the Peace for a county: Provided, That such person be not disqualified by law to act as a Justice of the Peace for any other cause or upon any other account than in respect of estate: And provided, nevertheless, That no such person by virtue of such commission shall act as a Justice of the Peace at any Court of Gaol Delivery or General or Quarter Session.

94. Distresses not to be deemed unlawful for want of Form.

And be it further Enacted, That where any distress shall be made for any money to be levied or raised by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want of form in any proceeding relating thereto, nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity which may be afterwards done by the party distraining; but the person aggrieved by such irregularity may maintain an action of trespass or on the case for the special and actual damage (if any) sustained thereby, but not otherwise.

95. Proceedings not to be void for want of Form, or removed by Certiorari.

And be it further Enacted, That no rate, nor any action, verdict, judgment, conviction, order, matter or thing, or other proceeding which shall or may be had, made, done or taken in pursuance of or under or by virtue of this Act, shall be made void, quashed or vacated for want of form, or be removed by Certiorari or any other

writ or process whatsoever into any of His Majesty's Courts of Record at Westminster or elsewhere.

96. For recovery of Penalties.

And be it further Enacted, That all fines, penalties and forfeitures inflicted or imposed by this Act, or by or under any bye-law, rule, order or regulation to be made in pursuance thereof (the manner of levying and recovering whereof is not hereinbefore particularly directed), may be recovered in a summary way by the order and adjudication of *Two* or more Justices of the Peace on complaint to them for that purpose exhibited, and afterwards to be levied, as well as the costs of such proceedings, on non-payment, by distress and sale of the goods and chattels of the offender, wherever situate in England or Wales, by warrant under the hands and seals of such Justices, who are hereby authorized and required to summon and examine any witness upon oath of and concerning such offences, and to hear and determine the same; and it shall be lawful for such Justices to order the offender so convicted to be detained in safe custody until a return can be conveniently made to such warrant of distress, unless the offender shall give sufficient security, to the satisfaction of such Justices, for his appearance before them on such day as shall be appointed for the return of such warrant, such day not being more than *Seven* Days from the time of taking any such security, and which security such Justices are hereby empowered to take by way of recognizance or otherwise; but if upon the return of such warrant it shall appear that no sufficient distress can be made whereon to levy the said penalty and such costs as aforesaid, and the same shall not be forthwith paid, or if it shall appear to such Justices, either by the confession of the offender or otherwise, that he hath not sufficient goods and chattels whereon to levy such penalty and costs as aforesaid on a warrant of distress being issued, such Justices shall not be required to issue such warrant of distress; and thereupon it shall be lawful for such Justices, and they are hereby authorized and required, by warrant under their hands and seals, to commit such offender to the common Gaol, there to remain without bail or mainprize for any time not exceeding *Two* Months, unless such fines, penalties and forfeitures, and all costs and charges attending such proceedings as aforesaid, to be ascertained by such Justices, shall be sooner paid and satisfied.

97. Form of Conviction.

And be it further Enacted, That for the more easy conviction of offenders against this Act, such Justices before whom any person shall be convicted of any offence against this Act, or any rule, order or regulation made in pursuance thereof, shall and may cause the conviction to be drawn up in the form of words or to the effect following; (that is to say)

to wit. { "BE it Remembered, That on the day of in the year in the ward

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ward of in the county of J. M. is convicted before us, R. C. and E.M. two of His Majesty's Justices of the Peace for the said county, for that the said J. M. did [here specify the offence and the time and place when and where the same was committed, as the case may be]; and we do adjudge that the said J. M. shall for the said offence forfeit the sum of and shall pay the same immediately. Given under our hands and seals the day and year first above mentioned. "R. C.
"E. M."

98. Persons aggrieved may appeal to the Sessions.

And be it further Enacted, That if any person shall think himself aggrieved by any order, direction or appointment of the Council, or by means of any rate or assessment to be made in pursuance and by virtue of this Act, or by any summary convictions by Justices of the Peace, it shall be lawful for such person (unless no particular method of relief hath been already otherwise provided) to appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be held in and for the county within *Four* calendar Months next after the cause of complaint shall have arisen; provided that such person shall give at least *Ten* Days' notice in writing of such appeal to the Clerk of the Council or other the Respondent, and within *Four* Days after such notice entering into a recognizance before any Justice, with *Two* sufficient Sureties conditioned to try such appeal, and to abide the order of and to pay such costs as shall be awarded by such Justices at such Sessions, and such Justices, upon due proof of such notice being given as aforesaid, and of such recognizance being entered into, shall hear and finally determine the matter and cause of such appeal in a summary way, and shall and may, according to their discretion, award such satisfaction and costs to the party appealing or appealed against as they shall think proper, and their determination in or concerning the premises shall be conclusive and binding to and upon all parties to all intents and purposes whatsoever.

99. Declaration in lieu of Oath.

And be it further Enacted, That in all cases relating to the execution of this Act in which it shall be necessary to examine any person touching or concerning any matter or thing to be proved or verified relating thereto before the aforesaid Commissioners to be appointed by virtue of this Act, or before the Council or Committee, it shall not be lawful for such Commissioners, Council or Committee to administer or cause to be administered any oath to any such person for the purpose aforesaid, but it shall be lawful for, and such Commissioners, Council or Committee are hereby respectively authorized and empowered from time to time and as often as there shall be occasion, to prove or verify any matter or thing to be inquired into by virtue of this Act, to administer to any person to be examined thereon

thereon a Declaration of Truth in the form hereinafter mentioned, any law, custom or Act of Parliament to the contrary in anywise notwithstanding.

100. Form of Declaration.

And be it further Enacted, That such Declaration of Truth shall be made in the words following, or some similar form of words, as the circumstances of the case may require: (that is to say)

> "I do solemnly and conscientiously declare and affirm, that the evidence I shall give before the [Commissioners, Council or Committee, as the case may be] touching the matter in question, shall be the truth, the whole truth, and nothing but the truth."

And if any person in any examination to be taken by virtue of this Act shall wilfully and corruptly give false evidence touching any matter or thing before the said Commissioners or Council, or Committee after making such declaration as aforesaid, any such person so offending shall and is hereby declared to be subject and liable to such and the same pains and penalties as by any law in force and effect persons guilty of wilful and corrupt perjury are subject and liable to.

101. Limitation of Actions.

And be it further Enacted, That no action, suit or proceeding shall be commenced or prosecuted against any Councillor or any member of the Committee, or against any Valuators, or against any other person or persons for any thing done in pursuance of this Act, until *Thirty* Days' notice thereof shall be given to the Clerk of the Council, nor after a sufficient satisfaction or tender of amends hath been made to the party or parties aggrieved, nor after the expiration of *Three* calendar Months next after the fact committed, and every such action or suit or prosecution shall be laid or brought in the county where the cause of action shall have arisen, and not elsewhere, and the defendant or defendants in every such action, suit or prosecution, shall and may at his or their election plead specially or the general issue, not guilty, and give this Act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this Act, and if any replevin shall be brought for any cattle, goods or chattels seized or taken by virtue or in pursuance of this present Act, it shall and may be lawful and sufficient to and for any person or persons who shall be defendant or defendants, or avowant or avowants in any such replevin, to avow, plead or make cognizance generally, that he or they took the same cattle, goods or chattels, as a distress by force of the statute in that case made and provided, without more particularly setting forth this Act, or the cause of making or detaining the said distress or distresses, or making any other more special plea, avowry or cognizance, any thing herein contained to the contrary notwithstanding;

notwithstanding; and if it shall appear that the matter on which the cause of action arose was done, or that the distress replevied was lawfully made in pursuance and by authority of this Act, or that such action or suit has shall brought before *Thirty* Days' notice thereof was given as aforesaid, or after a sufficient satisfaction made or tendered as aforesaid, or after the time limited for bringing the same as aforesaid, or has been brought in any other county than as aforesaid, then the jury shall find for the defendant or defendants, or avowant or avowants; and upon such verdict, or if the plaintiff or plaintiffs shall be nonsuited, or shall discontinue his, her or their action, suit or prosecution, after the defendant shall have appeared, or if upon demurrer judgment shall be given against the plaintiff or plaintiffs, defendant or defendants, or avowant or avowants, shall recover *double* costs, and have such remedy for the same as any defendant or defendants hath or have in other cases of costs given by law.

102. Act may be altered this Session.

And be it Enacted, That this Act may be altered or amended by any Act to be passed in this present Session of Parliament.

THE SCHEDULE

TO WHICH THIS ACT REFERS.

(A.)

FORM of CERTIFICATE from the Commissioners for dividing Counties into WARDS, and fixing the number of Councillors and Auditors.

WE, the undersigned Commissioners appointed in pursuance of an Act passed in the year of the reign of His Majesty King WILLIAM the Fourth, intituled [here insert the title of this Act], do hereby declare, that the several parishes and places which are hereinafter named, being situate in the county of are united into the several Wards hereinafter named:

Name of County.	Names of Parishes and Places united.	Names of Wards.	Names of Ward Towns.	Number of Councillors to be elected for each Ward.	Names of Wards (if any) united.	Number of Auditors.

And we do further declare, that [here insert the number] Councillors should be elected for the County Council of that is to say [here insert the number] Councillors for the Ward of [here insert the name of the Ward, and so on for each Ward, with the respective number of Councillors, &c.]: And we do further declare, that the united Wards of A. B. and C. in the county of should return [here insert the number, as the case may be] Auditor, and each of the other Wards in the said county *One* Auditor.

Given under our hands the day of

(signed)

Commissioners.

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(B.)

FORM of REGISTER of COUNTY RATE-PAYERS.

The COUNTY RATE VOTERS' LIST of the Parish of in the Ward of in the County of

Progressive Number.	Name of Rate-payer.	Place of Abode.	Nature of Property Rated.	Annual Value or Assessment.	Total of the Gross Annual Value.
				£. s. d.	£. s. d.
1	R. C.	Park Walk -	House and Garden	60 – –	
2	E. M.	Took's Court	House - -	50 – –	
3	J. M.	King's Road	House and Lands	100 – –	210 – –

(C.)

FORM of NOTICES to be given by SHERIFF.

County of } To the persons entitled to vote at the Election of Councillors and Auditors
to wit. } for the County of

TAKE NOTICE, That I have nominated and appointed the persons after-mentioned as Returning Officers for the time being for the several Wards of the County of (that is to say)

A. B. of	as Returning Officers for the Ward of	I.
C. D. of		K.
E. F. of		L.
G. H. of		M.
&c.		

[Insert the christian and surname of each Returning Officer and his place of abode, and the name of the Ward to which he is appointed.]

AND FURTHER TAKE NOTICE, That I have appointed the day of next ensuing, for holding a public meeting in the Ward-town of of the persons entitled to vote for the Ward of [here insert the name of the Ward] of the County of for the purpose of nominating fit and proper persons to be candidates for Councillors and Auditors.

AND ALSO FURTHER TAKE NOTICE, That I have appointed the day of next ensuing for holding a meeting in each Parish in every Ward within the said County of the Voters for each respective Parish, for the purpose of electing out of the candidates respectively nominated for Councillors and Auditors the requisite number of each respectively.

AND FURTHER TAKE NOTICE, That I have also appointed the day of next ensuing for holding a Court in the Ward-town in each respective Ward of the County, for casting up the Voting Papers and declaring the names of the Councillors and Auditors elected. Given under my hand this day of 18

(signed)

Sheriff of the County of

(D.)

FORM of NOTICES to be given by the RETURNING OFFICER of each WARD.

To the Overseers of the Parish of

YOU are hereby required to publish, by means of a notice in writing, which you are hereby required forthwith to affix on the principal or outer door of each church and chapel within the parish, or in such other place as is ordinarily made use of for affixing notices of parochial business, that a Court will be held on the day of 18 , at in the Ward-town of at of the clock in the forenoon, before me, for the Ward of for the purpose of the nomination of Councillors for the Ward of , and of an Auditor of Accounts, and that every person, duly qualified, is entitled to attend and nominate at such Court, by delivering to me a paper in writing, of the names and residences of any number of persons duly qualified to be Councillors, not exceeding the number of , and one person, duly qualified, to be an Auditor for the Ward [or, Wards of as the case may be], according to the form following:—

NOMINATION PAPER.

County of [Middlesex], Ward of [Westminster], Parish of [Mary-le-bone.]

No.	Names of Persons proposed for Councillors.	Residence.	Name of Person proposed for Auditor.	Residence.
	A. B. - -	Grosvenor-square.	G. H. - -	Portman-square.
2	C. D. - -	Dorset-square.		
3	E. F. - -	Belgrave-square		
	&c.	&c.		
	I propose the above, J. K. of Baker street.			

Which nomination paper the voter is required to sign; and you are hereby required in like manner to call a meeting of the voters named and described in the County Rate Voters' List of your parish for the time being, entitled to elect Councillors and an Auditor for the county of , to elect on the day of the month of of this present year, in manner by law provided [here insert the number of] Councillors for the Ward of , and one Auditor for the Ward [or, Wards, as the case may be].

Dated this day of

(signed)

Returning Officer of the Ward of

(E.)

FORM of CONSENT to serve as COUNCILLOR or AUDITOR.

I HEREBY consent to be put in nomination as [Councillor, or, Auditor, as the case may be] for the County of [or, Ward of as the case may be].

(signed) A. B.

Dated of

165

(F.)

FORM of NOTICE of ELECTION to be given by the OVERSEERS.

Parish of

THE persons who are named and described in the County Rate Voters' List for this parish, made according to the provisions of the Act of the year of the reign of King WILLIAM the Fourth, intituled "An Act" here insert the title of this Act], are hereby required to meet at on the day of then and there, in manner and form by this Act provided, to elect from the List of candidates nominated, [here insert the number] Councillors for the Ward of in the county of , and also an Auditor of the County Accounts.

(signed)

Overseers of the parish of

Dated this day of 18

Names of Candidates nominated at for the Ward of on the day of

A., B. and C. of &c.

(G.)

FORMS of VOTING PAPERS for ELECTION of COUNCILLORS and AUDITOR.

No. 1.

County of [Wilts], Ward of [Corsham], Parish of [Box].

NAMES of the Persons proposed as COUNCILLORS.	RESIDENCES.
A. B. - - - - - - -	Box.
C. D. - - - - - - -	Ashley.
E. F. - - - - - - -	Ditcheridge.
G. H. - - - - - - -	Corsham.
&c.	&c.

No. 2.

Ward of [Corsham], Parish of [Box].

NAME of the Person proposed as AUDITOR.	RESIDENCE.
J. K. - - - - - - -	Haselbury.

(H.)

FORM of Book of Survey and Valuation.

County of [Middlesex], Ward of [Chelsea], Parish of [Fulham].

Valuation of Lands, Tenements, &c. made pursuant to the [here insert the title of the Act.]

No.	NAME of OCCUPIER.	NAME or SITUATION of PROPERTY.	DESCRIPTION of PROPERTY.	Estimated Extent.	Gross Estimated Rental.	Rateable Value.
				A. R. P.	£. s. d.	£. s. d.
1.	Isaac Ward -	Chalk Farm -	Land & buildings	80 - -	120 - -	110 - -
2.	John Baker -	Green Lane -	House & garden	- 2 -	40 - -	35 - -
3.	James Longville	King Street -	House - -	- - -	20 - -	18 - -
			Totals - -	80 2 -	180 - -	163 - -

County Rates.

A

B I L L

To establish a Council and Auditors in every County in England and Wales, for the better Management of County Rates, and for amending the Laws relating thereto.

(*Prepared and brought in by Mr. Hume and Sir Eardley Wilmot.*)

Ordered, by The House of Commons, *to be Printed,*
29 *July* 1836.

[*Price* 7 *d.*]

A

B I L L

INTITULED,

AN ACT for amending an Act of the Ninth Year of the Reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for the better Regulation of Divisions in the several Counties of *England* and *Wales*."

[Note.—*The Figures in the Margin denote the Number of Presses in the Ingrossment.*]

1 WHEREAS by an Act passed in the ninth year of his late Majesty King GEORGE the Fourth, intituled, "An Act for the better Regulation of Divisions in the several Counties of *England* and *Wales*," it is, amongst other things, enacted, that such Divisions, when severally constituted in the manner directed by the said Act, shall be subject to no alteration or revision for the several terms of twenty-one and ten years respectively, and until further Order of Sessions after the expiration of such terms of twenty-one years and ten years respectively: 9 G. 4. c. 43.

And whereas it may be expedient that such Divisions should have the same limits as unions of Parishes formed under the Act of the fourth and fifth years of His present Majesty, intituled, "An 2 Act for the Amendment and better Administration of the Laws relating to the Poor in *England* and *Wales*;" and for this and other reasons it may be expedient to alter such Divisions within shorter periods of time than are now fixed by the herein recited Act; 4 & 5 W. 4. c. 76.

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,

1. Justices at Quarter Sessions may alter Divisions at the expiration of Three Years from the constituting of such Divisions.

and by the Authority of the same, THAT it shall be lawful for the Justices of the Peace for any County, Riding or Division, having a separate Commission of the Peace in any Court of Quarter Sessions, to alter and revise such Divisions in the manner and according to the forms required by the said herein recited Act, on the expiration of Three Years from the constituting thereof; any thing in such Act contained to the contrary notwithstanding.

2. No new Division to be constituted unless Five Justices at the least shall be proved to be resident or acting therein.

And be it further Enacted, That it shall be lawful for the Justices as aforesaid, at such Quarter Sessions, to make any order constituting any new Division, upon due proof before them made in open court on oath that at the time of making the same there are at the least Five Justices of the Peace residing or usually acting within the boundary line proposed to be the limit of any such new Division, but not otherwise.

3. Similar Forms, &c. to be observed by and with regard to the Clerk of the Peace to those in 9 G. 4. c. 43.

And be it further Enacted, That all matters and things by the said herein recited Act required to be done by and with regard to the Clerk of the Peace shall be done by and with regard to that officer with respect to the new Divisions to be formed by virtue of this Act.

4. Reservation of Right of Appeal given by 9 G. 4. c. 43. s. 9.

Provided always, and be it further Enacted, That every such order shall be made subject to such power of petitioning against the same as is given by the said herein recited Act with respect to any order made by virtue thereof. 3

5. Proceedings not to be quashed for want of Form.

And be it further Enacted, That no order to be made, nor any proceedings to be had or taken in pursuance of this Act, shall be quashed or vacated for want of form, or removed by *certiorari* or any other writ or process whatever into any of His Majesty's Courts of Record at *Westminster*; any law or statute to the contrary notwithstanding.

6. Not to extend to Middlesex, Scotland, or Ireland.

And be it further Enacted, That nothing in this Act contained shall extend or be construed or taken to extend to the County of *Middlesex* in *England*, or to *Scotland* or *Ireland*.

A

B I L L,

INTITULED,

AN ACT for amending an Act of the Ninth Year of the Reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for the better Regulation of Divisions in the several Counties of *England* and *Wales*."

Ordered, by The House of Commons, *to be Printed,*
6 *May* 1836.

A

B I L L

To amend the Laws relating to the Customs.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS several Acts were passed in the third and fourth years of the reign of His present Majesty for consolidating the Laws of the Customs, and it has been found necessary to make certain Alterations and Amendments therein; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the *passing of this Act*, the same shall come into and be and continue in full force and operation for all the purposes mentioned therein. Preamble.

1. Commencement of Act.

2. REGULATION.

Goods the property of persons resident abroad may be entered by Bill of Store if property be not changed.

AND whereas by one of the said Acts, intituled, "An Act for the general Regulation of the Customs," provisions are made permitting the re-importation of certain Goods legally exported from the United Kingdom, and it is expedient to alter such provisions in the manner herein mentioned; BE it therefore Enacted, That any Goods which have been legally exported from the United Kingdom, and which shall afterwards be re-imported into the same, the real proprietor thereof being then absent therefrom, shall upon such re-importation be permitted to be entered by Bill of Store, provided the Goods be such as are enti-

tled to that privilege, on production of a declaration subscribed by such real proprietor, setting forth the identity of the Goods so exported and so returned, and that he was at the time of exportation from the United Kingdom, and will be at the time of re-importation thereinto, the proprietor of such Goods, and that the same have not during such time been sold or disposed of to any other person; such declaration to be made before British Consul, Vice-Consul or other British authority residing in or near the place of residence of such real proprietor, and upon such further proof of the identity of the Goods as the Commissioners of the Customs shall require, and upon compliance with all the other regulations required by law on the entry of Goods by Bill of Store.

3. Repeal of provision that wrecked Goods not worth the Duty shall be deemed unenumerated Goods.

AND whereas by the said last-mentioned Act it is provided, that all such Foreign Goods, derelict, jetsam, flotsam and wreck, as cannot be sold for the amount of duty due thereon shall be delivered over to the Lord of the Manor, or other person entitled to receive the same, and shall be deemed to be unenumerated Goods, and shall be liable to and shall be charged with duty accordingly: And whereas it is expedient that such proviso should be repealed; BE it therefore Enacted, That so much of the above recited Act shall be and the same is hereby Repealed.

4. Spirits may be imported in Casks of 20 gallons, and Tobacco or Snuff in Hogsheads, &c. containing 300 lbs.

AND whereas by the said last-mentioned Act all Spirits, not being perfumed, or medicinal Spirits or Rum of and from the British Possessions, are required to be imported into the United Kingdom in Casks containing not less than Forty Gallons, and Tobacco and Snuff in certain cases are also required to be imported in Hogsheads, Casks, Chests or Cases, each of which shall contain of net Tobacco or Snuff Four hundred and fifty Pounds weight; BE it Enacted, That the said restrictions shall not extend to any such Spirits in Casks of not less than *Twenty* Gallons, nor to any such Tobacco or Snuff in Hogsheads, Casks, Chests or Cases, each of which shall contain of net Tobacco or Snuff *Three hundred* Pounds weight.

5. Goods may be exported in Vessels of 60 tons.

AND whereas the importation and exportation of certain Goods into and from the United Kingdom and other dominions of His Majesty, by the laws now in force, is restricted to Vessels of Seventy Tons burthen or upwards: And whereas by an Act passed at a Sessions of Parliament holden in the fifth and sixth years of the reign of His present Majesty, intituled, "An Act to regulate the Admeasurement of the Tonnage and Burthen of the Merchant Shipping of the United Kingdom," Vessels are required to be admeasured according to the rules set forth in that Act, and in consequence thereof, it has become expedient to reduce the tonnage to which such importations and exportations are restricted; BE it therefore Enacted, That it shall be lawful to import into or export from the United Kingdom, and other dominions of His Majesty, any

any such Goods in Vessels of Sixty Tons burthen and upwards, provided such Vessels have been admeasured according to the rules prescribed by the last-mentioned Act.

6. Commissioners of Customs to grant general Transires.

AND whereas by the said last-mentioned Act it is provided, that the Collectors and Controllers of Customs in certain cases may grant for any coasting Ship a general Transire to continue in force for any time not exceeding One Year, and it is found expedient for the greater accommodation of the coasting trade that this provision should be extended; BE it therefore Enacted, That it shall and may be lawful for the Commissioners of His Majesty's Customs, whenever it shall appear to them to be necessary, to grant general Transires, under such regulations and for such time as they may see fit, for the lading of any Goods, and for the clearing the Ship in which the Goods shall be laden, and for the unlading of the Goods at the place of discharge: Provided always, That such Transires shall be written in the cargo books required by law to be kept by the masters of coasting vessels: Provided also, That if the said Commissioners shall at any time revoke such Transires, and notice thereof shall be given to the master or owner of the Ship, or shall be given to any of the crew when on board the Ship, or shall be entered in the cargo book by any Officer of the Customs, such Transires shall be void, and shall be delivered up by the master or owner of the Ship.

7. Goods reported to Customs as jetsam, flotsam or lagan, and not claimed within 12 Months, to be deemed condemned as Droits of Admiralty.

AND whereas Goods found derelict, and articles under the denomination of Goods jetsam, flotsam and lagan, are frequently picked up at sea and brought into the Ports of this Kingdom, which, if not claimed by any owner within the period limited by law, belong of right to His Majesty in His Office of Admiralty, but by reason of the smallness of their value would, if prosecuted to condemnation in the High Court of Admiralty, be wholly unproductive; BE it therefore Enacted, That whenever any such Goods, whether picked up at sea, or on the shore within the flow of the sea, shall be reported to the Officers of the Customs, notice thereof shall be forthwith given by them to the Receiver-General of Droits of Admiralty, and all such Goods shall be placed at his disposal, subject however to the payment of the duties with which they shall be respectively chargeable; and in case the rightful Owner thereof shall prove his claim thereto to the satisfaction of the said Receiver-General within the period of *Twelve* calendar Months from the day on which they shall be so reported, such Goods shall be restored to the Owner on payment of the duties and necessary charges attending the care of the same, and a reasonable compensation to the amount of *One-third* of the net value (after abating the duties and charges aforesaid) to the Salvors thereof; but if no such claim shall be established within the period aforesaid, then such Goods shall be deemed and taken and be condemned to His Majesty as Droits of

Admiralty, and may be sold by the said Receiver-General, without any process from the High Court of Admiralty, and the net proceeds thereof, after payment of duties, salvage and other charges as aforesaid, shall be disposed of by him, and carried to the credit of the Consolidated Fund, in like manner as Droits of Admiralty are, by an Act passed in the first year of His present Majesty's reign for the support of His Majesty's Household, and the honour and dignity of the Crown, directed to be applied; any thing in any Act or Acts contained, or any law, statute or usage to the contrary thereof notwithstanding.

8. Smuggling.

Boats used in fishing on the coast of Scotland not required to have Licenses.

AND whereas by one other of the said Acts, intituled, "An Act for the Prevention of Smuggling," all Boats belonging in the whole or in part to His Majesty's subjects, found within certain limits, are forfeited, unless the Owners thereof have obtained a License for navigating the same from the Commissioners of His Majesty's Customs: And whereas it is expedient to dispense with such Licenses for Boats used in fishing on the coasts of Scotland; BE it therefore Enacted, That from and after the *passing of this Act*, the Owners of Boats solely engaged in fishing on the coasts of Scotland shall not be required to obtain Licenses for navigating the same from the Commissioners of His Majesty's Customs under the provisions of the same recited Act.

9. Magistrates to commit offenders convicted of offences against Customs Laws to nearest House of Correction.

AND whereas by an Act passed in the fourth year of the reign of His present Majesty, intituled, "An Act to repeal so much of an Act of the then last Session of Parliament for the Prevention of Smuggling as authorizes Magistrates to sentence Persons convicted of certain Offences to serve His Majesty in His Naval Service, and to alter and amend the said Act," persons duly convicted of certain offences in that Act mentioned before any Two Justices of the Peace are to be adjudged by such Justices to be imprisoned in any House of Correction, and there kept to hard labour for certain terms in that Act mentioned: And whereas there are certain Counties, Cities, Boroughs, Divisions, Franchises and Towns Corporate in the United Kingdom which have not any House of Correction situate within or near the same; BE it therefore Enacted, That when any person shall have been duly convicted of any of the offences in the said Act mentioned before any *Two* Justices of the Peace within whose jurisdiction there is no House of Correction, it shall and may be lawful for such Justices, and they are hereby authorized and required, by Warrant under their hands and seals, to commit such Offender to any of His Majesty's Gaols within their jurisdiction wherein the sentence of hard labour is or can be executed, or to the House of Correction nearest to the place where such Offender is convicted, for such time as is set forth in the said Act, for a first, second and third offence respectively, and the Governor or Keeper of such House of Correction is hereby required to receive such Offender

and

and to obey such Warrant in all respects as if such House of Correction was within the jurisdiction of the said Justices.

10. Authorizing Magistrates to proceed to conviction of Smugglers in certain cases without an Order from the Board of Customs.

And be it further Enacted, That wherever any person shall have been detained and taken before any Justice of the Peace for unshipping, or for aiding, assisting or being concerned in the unshipping of any Spirits or Tobacco liable to forfeiture, under any Act relating to the Customs or Excise, or for carrying, conveying or concealing, or for aiding, assisting, or being concerned in the carrying, conveying or concealing of any such Spirits or Tobacco, and it shall appear to such Justice that the quantity of Spirits in respect of which such person has been so detained does not exceed *One* Gallon, or that the quantity of Tobacco in respect of which such person has been so detained does not exceed *Six* Pounds weight, it shall and may be lawful for such Justice, and he is hereby authorized to proceed summarily upon the case without any information, and although no direction shall have been given by the Commissioners of His Majesty's Customs, and to convict such person of such offence, and to adjudge that such person shall, in lieu of any other penalty, forfeit any sum of money not exceeding *Five* Pounds, and in default of payment of such sum of money, to commit such person to any of His Majesty's Gaols for any time not exceeding *One* Month.

11. Prosecutions not to be instituted in cases where Spirits, Tobacco or Snuff are found on board Vessels in legal Packages within certain distances of the coasts of the United Kingdom.

AND whereas by another Act passed in the third and fourth years of the reign of His present Majesty, intituled, "An Act for the Prevention of Smuggling," Spirits found on board Vessels within certain distances of the Coast of the United Kingdom, not being in Casks or Packages containing Forty Gallons at the least, or any Tobacco or Snuff, not being in a Cask or Package containing Four hundred and fifty Pounds weight at least, are made liable to forfeiture, and the persons found or discovered to have been on board such Vessels to detention and prosecution on account thereof; BE it therefore Enacted, That in all cases where Casks or Packages containing Spirits, Tobacco or Snuff, found on board Vessels within any such distances, are of such size or dimensions as may be legally imported into the United Kingdom, no such forfeiture, detention and prosecution shall take place, but that in all other respects, the forfeitures, detentions and prosecutions set forth in the said Act shall attach, and be in force as if this Act had not been made.

12. DUTIES.

Table of New Duties.

AND whereas one other Act was passed in the said third and fourth years of the reign of His present Majesty, intituled, "An Act for granting Duties of Customs," and it is expedient to amend the same in the manner hereinafter mentioned; BE it therefore Enacted, That instead of the Duties imposed by the said last-mentioned Act, and set forth in a Table thereunto annexed, denominated "A Table of Duties of Customs Inwards," the several Duties set forth in Figures in the Table hereinafter contained, and denominated "Table of New Duties, *One thousand*

eight hundred and Thirty six," shall, in respect of such Goods as are mentioned therein, be raised, levied, collected and paid unto His Majesty in like manner as if such Duties had been imposed in and by the said Act, and had been set forth in the said Table thereunto annexed; (that is to say)

	DUTY PROPOSED. £. s. d.
Aristolochia - - - - - - - - *the lb.*	– – 1
Beads of Glass - - - - - - - *the lb.*	– 1 –
Boxwood - - - - - - - - *the ton*	– 10 –
Bugles - - - - - - - - *the lb.*	– 1 –
Cassia Fistula - - - - - - - *the lb.*	– – 1
Cedar, imported from the Bay of Honduras in a British Ship cleared out from the Port of Belize - *the ton*	– 10 –
Chalk; viz. prepared or otherwise manufactured - - - - - *the 100l. of value*	10 – –
Chalk, unmanufactured - - - *the 100l. of value*	5 – –
Chicory, or any other vegetable matter applicable to the uses of Chicory; viz. Raw or kiln-dried - - *the cwt.*	1 – –
Roasted or ground - - *the cwt.*	2 16 –
Ebony - - - - - - - - *the ton*	– 10 –
Feathers; viz. Ostrich - - - - - *the lb.*	– 1 –
Flower Roots - - - - - *the 100l. of value*	5 – –
Horns and Horn Tips - - - - - - *the ton*	– 1 –
Lignum Vitæ - - - - - - - - *the ton*	– 10 –
Mahogany, imported from any Foreign Country, entered after the 5th of July 1837 - - - *the ton*	5 – –
Morphia and its Salts - - - - - - *the lb.*	– 16 –
Nickel; viz. Arsenate of Nickel, in lumps or powder, being in an unrefined state *the 100l. of value*	5 – –
Nickel, metallic, refined, and Oxide of Nickel - - - - - - *the 100l. of value*	20 – –
Olive Wood, the produce of or imported from any Foreign Country - - - - - - - *the ton*	2 10 –
Opium - - - - - - - - - *the lb.*	– 1 –
Orange Flower Water - - - - - - *the lb.*	– – 1
Quinine, Sulphate of - - - - - - *the oz.*	– – 6
Sebadilla Seeds - - - - - - - *the cwt.*	– 4 –
Speckled Wood, the produce of or imported from any Foreign Country - - - - - - *the ton*	2 10 –
Succades, the produce of or imported from any Foreign Country - - - - - - - *the lb.*	– – 6
Sweetwood, the produce of or imported from any Foreign Country - - - - - - - *the lb.*	2 10 –
Teeth; viz. Elephant's, Sea Cow, Sea Horse or Sea Morse Teeth - - - - - - - *the cwt.*	– 1 –
Water; viz. Mineral Water - - - - - *the gallon*	– – 1

13. Possessions Abroad.

Packages for the Importation and Exportation of Segars into or from the Islands of Jersey, &c.

AND whereas by one other of the said Acts, intituled, "An Act to regulate the Trade of the British Possessions Abroad," no Tobacco is permitted to be imported into or exported from the Islands of Jersey, Guernsey, Alderney or Sark, or either of them, or removed from any one to any other of the said Islands, or coastwise from any one part to any other part of either of the said Islands, unless in a Cask or Package containing Four hundred and fifty Pounds weight; BE it Enacted, That the said restriction shall not extend to any Segars in Packages of not less than *One hundred* Pounds weight.

179

14. Bill of Entry. Duplicate thereof to be delivered also.

AND whereas by the said last-mentioned Act, the person entering any Goods is required to deliver to the Collector or Comptroller, or other proper Officer, a Bill of the Entry thereof, containing the several particulars set forth in the said Act; BE it Enacted, That such person shall also deliver at the same time one or more Duplicates of such Bill, in which all sums and numbers may be expressed in Figures, and the particulars to be contained in such Bill of Entry shall be written and arranged in such form and manner, and the number of such Duplicates shall be such as the Collector and Comptroller shall require.

Customs.

A

B I L L

To amend the Laws relating to the Customs.

(*Prepared and brought in by*
Mr. Poulett Thomson and Mr. Labouchere.)

Ordered, by The House of Commons, *to be Printed,*
15 *July* 1836.

450.

CUSTOMS.

SCHEDULE

OF

PROPOSED ALTERATIONS OF CUSTOMS DUTIES.

		DUTY PROPOSED.			PRESENT DUTY.		
		£.	s.	d.	£.	s.	d.
Aristolochia	*the lb.*	–	–	1	–	–	10
Beads of Glass	*the lb.*	–	1	–	30 per cent.		
Boxwood	*the ton*	–	10	–	5	–	–
Bugles	*the lb.*	–	1	–	–	2	–
Cassia Fistula	*the lb.*	–	–	1	–	–	10
Cedar, imported from the Bay of Honduras in a British Ship cleared out from the Port of Belize	*the ton*	–	10	–	2	10	–
Chalk; viz. prepared or otherwise manufactured	*the* 100*l. of value*	10	–	–	40	–	–
Chalk, manufactured	*the* 100*l. of value*	5	–	–	20	–	–
Chicory, or any other vegetable matter applicable to the uses of Chicory; viz. Raw or kiln-dried	*the cwt.*	1	–	–	5 per cent.		
Roasted or ground	*the cwt.*	2	16	–	2	16	–
Ebony	*the ton*	–	10	–	5	–	–
Feathers; viz. Ostrich	*the lb.*	–	1	–	–	10	–
Flower Roots	*the* 100*l. of value*	5	–	–	20	–	–
Horns and Horn Tips	*the ton*	–	1	–	2	6	8
Lignum Vitæ	*the ton*	–	10	–	2	–	–
Mahogany, imported from any Foreign Country, entered after the 5th of July 1837	*the ton*	5	–	–	7	10	–
Morphia and its Salts	*the lb.*	–	16	–	–	10	–
Nickel; viz. Arsenate of Nickel, in lumps or powder, being in an unrefined state	*the* 100*l. of value*	5	–	–	20	–	–
Nickel, metallic, refined, and Oxide of Nickel	*the* 100*l. of value*	20	–	–	20	–	–
Olive Wood, the produce of or imported from any Foreign Country	*the ton*	2	10	–	8	9	6
Opium	*the lb.*	–	1	–	–	4	–
Orange Flower Water	*the lb.*	–	–	1	*gall.*	3	9
Quinine, Sulphate of	*the oz.*	–	–	6	–	–	1
Sebadilla Seeds	*the cwt.*	–	4	–	5	12	–
Speckled Wood, the produce of or imported from any Foreign Conntry	*the ton*	2	10	–	8	14	–
Succades, the produce of or imported from any Foreign Country	*the lb.*	–	–	6	–	1	3
Sweetwood, the produce of or imported from any Foreign Country	*the lb.*	2	10	–	10	13	–
Teeth; viz. Elephant's, Sea Cow, Sea Horse or Sea Morse Teeth	*the cwt.*	–	1	–	1	–	–
Water; viz. Mineral Water	*the gallon*	–	–	1	–	1	–

SCHEDULE

OF

PROPOSED ALTERATIONS OF CUSTOMS DUTIES.

1836.

O.113.

CUSTOMS BILL.

ARTICLES TO BE ADDED TO THE TABLE OF DUTIES.

ARTICLES.	PROPOSED DUTY. £.	s.	d.	PRESENT DUTY. £.	s.	d.
Clinkers, called Dutch Clinkers - - - *the* 1,000	–	10	–	1	2	6
Drugs, not particularly enumerated or charged with duty in this or any other Act - - - - - - *the cwt.*	–	2	–	–	10	–
Ginger, preserved; the produce of, or imported from, any foreign country - - - - - - - - *the lb.*	–	–	6	–	1	3
Maps or Charts, or parts thereof, viz.						
Plain - - - - - - - - - *each*	–	–	1	–	–	6
Coloured - - - - - - - - - *each*	–	–	2	–	–	6
Marmalade, the produce of, or imported from, any foreign country - - - - - - - - - *the lb.*	–	–	6	–	1	3
Nuts, viz. Castor Nuts or Seed - - - - - *the ton*	–	1	–	–	10	–
Oil, viz. Castor Oil - - - - - - - *the cwt.*	–	1	3	*See* Note (A.)		
Plate, old, not battered up, having been in the private use of the Importer while residing abroad, and intended for his private use in this kingdom, viz.						
Silver - - - - - - - - - *the oz.*	–	2	6	–	4	6
Gold - - - - - - - - - *the oz.*	1	–	–	3	16	9
Rags, viz. old Woollen Rags - - - - - *the ton*	–	1	–	15 per Cent.		
Rice, rough and in the husk, imported from the West Coast of Africa - - - - - - - - - *the qr.*	–	–	1	–	2	6
Rose Wood - - - - - - - - - *the ton*	6	–	–	10	–	–
Spices, viz.						
Cloves - - - - - - - - - *the lb.*	–	–	6	–	2	–
Mace - - - - - - - - - *the lb.*	–	2	6	–	3	6
Pepper - - - - - - - - - *the lb.*	–	–	6	–	1	–
Pimento - - - - - - - - - *the lb.*	–	–	3	–	–	5
Teak Wood - - - - - - - - - *the load*	–	10	–	1	10	–
——— imported from any British Possession within the limits of the East India Company's Charter - *the load*	–	–	1	–	–	1
Verdigris - - - - - - - - - *the lb.*	–	–	6	–	1	–
Wax, viz. Bees Wax unbleached, the produce of the West Coast of Africa, and imported from thence - *the cwt.*	–	10	–	1	10	–

Note (A.)						
Oil, viz. Castor - - - - - - - - - *the lb.*	-	-	-	–	1	–
——— imported from any British Possession - *the lb.*	-	-	-	–	–	3
——— the produce of, or imported from, any British Possession - - - - - - - - - *the cwt.*	-	-	-	–	2	6

CUSTOMS BILL.

ARTICLES

TO BE ADDED TO THE TABLE OF DUTIES.

1836.

A

B I L L

For vesting the Office of Constable of the Castle of Saint Briavel's in the First Commissioner of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, and for vesting the Office of Keeper of the Forest of Dean in the County of Gloucester, in the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS the Office of Constable of His Majesty's Castle of Saint Briavel's, in His Majesty's Forest of Dean, in the County of Gloucester, and also the Office of Keeper of His Majesty's Deer within the said Forest, are now respectively vacant: Preamble.

And whereas there has heretofore been and now is a certain Court in the Hundred of Saint Briavel's, in the said County of Gloucester, called, "Saint Briavel's Court," having jurisdiction over the whole of the said Hundred in certain actions of debt and contract, and also of trespass and on the case, which said Court has been held in the Castle of Saint Briavel's before a Deputy appointed by the Constable of the said Castle for executing the Office of Constable of the said Castle, and is distinct from the Manor Court and Hundred Court of the said Hundred; and it is expedient that the said Office of Constable of the Castle of Saint Briavel's should be vested in the First Commissioner for the time being of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, until provision shall be made by Parliament for abolishing or otherwise regulating the said Office and the said Court; and it is also expedient that the Office of Keeper of His Majesty's Deer within the said Forest should be vested in the Commissioners for the time being of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, as hereinafter mentioned:

And whereas the said several purposes cannot be effected without the aid and authority of Parliament;

May it therefore please Your MAJESTY,

That it may be Enacted; **And be it Enacted**, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT the said Office of Constable of His Majesty's Castle of Saint Briavel's, in His Majesty's Forest of Dean, in the County of Gloucester, shall be and the same is hereby vested in the First Commissioner for the time being of His Majesty's Woods, Forests, Land Revenues, Works and Buildings; and from and after the *passing of this Act* all the duties of the said Office shall be performed by the said First Commissioner, or his sufficient Deputy or Deputies, and for that purpose all the powers and authorities belonging or appertaining to the said Office shall become and be vested in such First Commissioner for the time being; and every such First Commissioner for the time being shall, and he is hereby authorized, empowered and required, by himself or his sufficient Deputy or Deputies, to perform all such duties, and for that purpose to use and exercise all such powers and authorities, and enforce the same by all such and the like ways, means, suits and proceedings, and do and perform all such acts, matters and things as may be necessary in that behalf, as fully and effectually to all intents and purposes as if the said First Commissioner had been duly and legally appointed to the said office, and was, in virtue of a legal appointment, Constable of the said Castle of Saint Briavel's.

1. Office of Constable of Saint Briavel's vested in First Commissioner of Woods, &c.

2. Office of Keeper of His Majesty's Deer of the Forest of Dean vested in the Commissioners of Woods, &c.

And be it further Enacted, That the Office of Keeper of His Majesty's Deer within the said Forest, and all the powers, authorities, rights and privileges of or appertaining to the said Office, shall be and the same are vested in the Commissioners for the time being of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, and the said Commissioners for the time being shall, and they are hereby authorized, empowered and required, to execute and perform all the duties of the said office of Keeper, and to do and perform all such acts, matters and things as may be necessary in that behalf as fully and effectually as any Keeper of the said Forest by virtue of any legal appointment might or could have done before the *passing of this Act*.

3. Act may be altered this Session.

And be it further Enacted, That this Act may be altered, amended or repealed in this present Session of Parliament.

Dean Forest.

A

B I L L

For vesting the Office of Constable of the Castle of Saint Briavel's in the First Commissioner of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, and for vesting the Office of Keeper of the Forest of Dean, in the County of Gloucester, in the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings.

(Prepared and brought in by
Mr. Robert Gordon and Mr. Attorney General.)

Ordered, by The House of Commons, *to be Printed,*
9 *February* 1836.

A

B I L L,

INTITULED,

AN ACT to provide for the taking of Judicial Ratifications of *Scottish* Deeds on Oath as heretofore.

Note.—*The Figures in the Margin denote the Number of Presses in the Ingrossment.*

1 WHEREAS an Act was passed in the fifth and sixth year of the reign of His present Majesty, intituled, "An Act to repeal an Act of the present Session of Parliament, intituled, 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extrajudicial Oaths and Affidavits;' and to make other provisions for the Abolition of unnecessary Oaths:" And whereas by the said recited Act it is enacted, that from and after the commencement thereof it should not be lawful for any Justice of the Peace or other person to administer or cause or allow to be administered, or to receive or cause or allow to be received, any Oath, Affidavit or solemn Affirmation touching any matter or thing whereof such Justice or other person hath not jurisdiction or cognizance by some Statute in force at the time being: And whereas by the law and practice of 2 Scotland Judicial Ratifications by Married Women upon Oath are acts of voluntary jurisdiction which may be proceeded in before any Judge: And whereas the said recited Act may be construed to apply to the Oaths taken in such Ratifications, and it is expedient that such law and practice should not be affected or rendered doubtful; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal,

5 & 6 Will. 4, c. 62.

 and

Nothing in recited Act to prevent the taking of Oaths by Married Women in Judicial Ratifications as heretofore.

and Commons, in this present Parliament assembled, and by the Authority of the same, THAT nothing in the said recited Act contained shall prevent or be construed to prevent the taking of Oaths in Judicial Ratifications by Married Women as the same might by the law and practice of Scotland have heretofore been taken, nor shall any thing in the said recited Act contained invalidate or be construed to invalidate any such Ratification on Oath, taken according to such law and practice since the commencement of the said recited Act; and every such Ratification taken under a declaration since the passing of the said recited Act shall be of the same force and effect as if such Ratification had been taken on Oath.

Deeds Ratification (Scotland.)

A

B I L L,

INTITULED,

AN ACT to provide for the taking of Judicial Ratifications of *Scottish* Deeds on Oath as heretofore.

Ordered, by The House of Commons, *to be Printed*, 22 *June* 1836.

A

B I L L

For abolishing customary Modes of Descent, and the taking of Heriots in Specie.

Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

BE it Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT in the construction of this Act the word "Lands" shall extend to manors, advowsons, rectories, messuages, lands, tenements, tithes, rents and all other hereditaments, whether corporeal or incorporeal, and any undivided share thereof; and every word importing the singular number only, shall extend and be applied to several persons or things, as well as to one person or thing; and every word importing the plural number shall extend to one person or thing, as well as to many persons or things; and every word importing the masculine gender only, shall extend and be applied to a female, as well as to a male: Provided always, That those words and expressions occurring in this clause to which more than one meaning is to be attached, shall have all or any one or more of the different meanings given to them by this clause, as the circumstances of each particular case shall require, and shall not have the different meanings given to them by this clause in those cases in which there is any thing in the subject or context repugnant to such construction.

1. Meaning of certain Words and Expressions. "Lands."

"Number and Gender."

And be it further Enacted, That from and after the *Thirty-first* day of *December One thousand eight hundred and Thirty-eight*, the customs of Borough English and Gavelkind respectively, and all customary

2. After the 31st December 1838, Freehold Lands held subject to the cus-

toms of Borough English and Gavelkind, and other customary modes of descent, shall be held in free and common socage.

customary modes of descent affecting Freehold Lands which shall on the said *Thirty-first* day of *December One thousand eight hundred and Thirty-eight* be held subject to the customs of Borough English and Gavelkind, and such other customary modes of descent respectively, shall cease and determine, and such Lands shall be thenceforth held in free and common socage; and all the laws which shall for the time being affect and be applicable to Lands held in free and common socage, shall from and after the said *Thirty-first* day of *December One thousand eight hundred and Thirty-eight* affect and be applicable to Freehold Lands which on the said *Thirty-first* day of *December One thousand eight hundred and Thirty-eight* shall be subject to the customs of Borough English and Gavelkind, and such other customary modes of descent as aforesaid respectively; but nevertheless such Lands shall be held of the same manors, and be subject to the same rents, fines, heriots and services, as such Lands would have been held of and subject to if such customs of Borough English and Gavelkind, and such other customary modes of descent respectively had not ceased and determined.

3. After the 31st December 1838, the customs of Borough English and Gavelkind, and other customary modes of descent affecting Lands held by Copy of Court Roll shall be abolished, and such Lands shall be inherited in the same manner as Lands held in free and common socage.

And be it further Enacted, That from and after the *Thirty-first* day of *December One thousand eight hundred and Thirty-eight*, the customs of Borough English and Gavelkind, and all customary modes of descent whatsoever, affecting Lands which shall on the said *Thirty-first* day of *December One thousand eight hundred and Thirty-eight* be held by Copy of Court Roll, subject to all or any of the customs of Borough English and Gavelkind, and such other customary modes of descent as aforesaid respectively, shall cease and determine; and all the laws which shall for the time being affect and be applicable to Lands held in free and common socage, shall from and after the said *Thirty-first* day of *December One thousand eight hundred and Thirty-eight* affect and be applicable to Lands held by Copy of Court Roll, which on the said *Thirty-first* day of *December One thousand eight hundred and Thirty-eight* shall be subject to all or any of the customs of Borough English and Gavelkind, and such other customary modes of descent as aforesaid respectively: Provided nevertheless, That such Lands shall be held by Copy of Court Roll, and shall continue parcel of the same manors, and shall be subject to the same rents, fines, heriots and services, as such Lands would have been held of and subject to if such customs of Borough English and Gavelkind, and other customary modes of descent respectively, had not ceased and determined: Provided further nevertheless, That nothing herein contained shall be deemed or taken to abolish as to Lands held by Copy of Court Roll, subject to all or any of the customs of Borough English and Gavelkind, and such other customary modes of descent as aforesaid respectively, all or any of the customs of the Manors of which such Lands may be parcel,

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parcel, except those which are peculiar to the customs of Borough English and Gavelkind, and such other customary modes of descent as aforesaid respectively.

4. After the 31st December 1836, no Beast or Chattel shall be demanded as a Heriot, and the sum of 5*l.* shall be paid in lieu thereof; but no Lord of any Manor shall be entitled to a greater Sum than what has been usually accepted in lieu of a Heriot.

And be it further Enacted, That from and after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, no Beast or other Chattel shall be seized or demanded by His Majesty or His successors, or by the mesne Lord of any Manor of any tenure whatsoever, as a Heriot in respect of any Lands of any tenure whatsoever held of or parcel of such Manor; and in all cases in which His Majesty or His successors, or the mesne Lord of any Manor of any tenure whatsoever, shall at the time of *passing this Act* be entitled to any beast or chattel as a heriot in respect of any Lands of any tenure whatsoever held of or parcel of such Manor, then in lieu of such beast or chattel there shall be paid to His Majesty or His successors, or the mesne Lord of such Manor, his executors, administrators or assigns, by the person from whom such beast or other chattel might have been demanded if this Act had not passed, his executors or administrators, the sum of *Five* Pounds sterling money current in England; and His Majesty and His successors, or the mesne Lord of such Manor, may proceed for the recovery of such sum by action of debt against the person from whom such beast or other chattel might have been demanded if this Act had not passed, his executors or administrators, or may, while the person from whom such beast or other chattel might have been demanded if this Act had not passed, his executors or administrators, or his or their tenant, shall be in the actual possession of the Lands in respect of which such beast or other chattel might have been demanded, distrain on such Lands for such sum: Provided nevertheless, That nothing herein contained shall be deemed, construed or taken to authorize or empower His Majesty or His successors, or the mesne Lord of any Manor of any tenure whatsoever, to demand in lieu of any heriot in respect of any Lands of any tenure whatsoever, held of or parcel of such Manor, any greater sum of money than has been usually taken or accepted as a composition for such heriot.

5. Persons making Distresses under this Act, to have all the Privileges given by 11 Geo. 2. c. 19.

And be it further Enacted, That in case any action of trespass shall be brought for taking any distress authorized to be made by this Act, His Majesty or His successors, or the mesne Lord making such distress, may plead thereto the General Issue, and give this Act or other special matter in evidence; and also, in case any such distress shall be replevied, shall have power to avow or make cognizance generally in such manner and form as any landlord may now do by virtue of the Statute made in the eleventh year of the reign of his Majesty King GEORGE the Second, intituled, "An Act for the

more

more effectual securing the Payment of Rents, and preventing Frauds by Tenants," or by any other law or statute now in force, or hereafter to be made for the more effectually recovering of rent in arrear; and His Majesty and His successors, or the mesne Lord of such Manor, and his and their bailiffs, agents and servants, shall also have all such and the same remedies, powers, privileges and advantages of pleading, avowing and making cognizance, and be entitled to the same costs and damages, and the same remedies for the recovery thereof as landlords, their bailiffs, agents and servants are now or hereafter may be by law entitled to have when rent is in arrear.

Descents and Heriots.

A

B I L L

For abolishing customary Modes of Descent and the taking of Heriots in Specie.

(Prepared and brought in by Mr. Attorney General and Mr. Solicitor General.)

Ordered, by The House of Commons, *to be Printed,* 18 *March* 1836.

103.

(Ireland.)

A

B I L L

For improving the Police in the District of the *Dublin* Metropolis.

WHEREAS it is expedient to substitute a new and more efficient system of Police within the limits of the District of *Dublin* Metropolis, and to constitute an office of Police, which, acting under the immediate authority of the Chief Secretary of the Lord Lieutenant, shall direct and control the whole of such new system of Police within those limits; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, to cause a new Police Office to be established in the City of *Dublin*, and by warrant under his hand and seal to appoint Two fit persons as Justices of the Peace for and of the Police district of *Dublin* Metropolis, as the same is constituted and defined in and by an Act made in the forty-eighth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual prevention of Felonies within the District of *Dublin* Metropolis, and for and of the Counties of *Dublin*, *Wicklow*, *Kildare* and *Meath*, and of all Liberties therein," to execute the duties of a Justice of the Peace at the said office, and in all parts of those several counties, and the liberties therein, and of said district, together with such other duties as shall be hereinafter specified, or as shall be from time to time directed by the Chief Secretary of the Lord Lieutenant, or in his absence, by the Under Secretary for the time being, for the more efficient administration of the Police within the said limits; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors to remove either of the said Justices, if he or they shall see occasion

Preamble.

1. The Lord Lieutenant may establish a new Police Office for the Metropolis, and the surrounding District, and may appoint Two Persons as Justices, to conduct the Business of the Office, under the Directions of the Chief or Under Secretary.

so to do, and upon any vacancy in the said Office by death, removal or otherwise, to appoint another fit person as a Justice of the Peace of the said district, counties and liberties, to execute the Duties aforesaid, in lieu of the person making such vacancy; and it shall be lawful so to appoint any person to be a Justice of the Peace by virtue of this Act, and for such person, during the continuance of his appointment, to execute the Duties of a Justice of the Peace for the said district, and counties and liberties, although he may not have any such qualification by estate as is required by law in the case of any other person being a Justice of the Peace for any county: Provided always, That no such person shall act as a Justice of the Peace at any Court of General or Quarter Sessions, nor in any matter out of Sessions, except for the preservation of the peace, the prevention of crimes, the detection and committal of offenders, and in carrying into execution the purposes of this Act.

The Justices need not have any Qualification of Estate.

Proviso.

2. Oath to be taken by the Justices.

And be it Enacted, That every person to be appointed a Justice of the Peace by virtue of this Act shall, before he shall begin to execute the Duties of his office, take the following oath before some Justice or Baron of one of His Majesty's courts of record at *Dublin*; (that is to say)

> "I, *A. B.* do swear, That I will faithfully, impartially and honestly, according to the best of my skill and knowledge, execute all the powers and duties of a Justice of the Peace, under and by virtue of an Act passed in the sixth year of the reign of King WILLIAM the Fourth, intituled, 'An Act for improving the Police in the District of *Dublin* Metropolis.'"

3. Salary of the Justices.

And be it Enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to direct that an annual salary, not exceeding the sum of Eight hundred pounds, shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to each of the Justices to be appointed under this Act, and that the same shall be payable quarterly.

4. A Police Force for the whole District to be appointed.

And be it Enacted, That a sufficient number of fit and able men shall from time to time, by the directions of the Chief Secretary of the Lord Lieutenant, or in his absence of the Under Secretary for the time being, be appointed as a Police Force for the whole of such district, who shall be sworn in by one of the said Justices to act as Constables for preserving the peace, and preventing robberies and other felonies, and apprehending offenders against the peace; and the men so sworn shall, not only within the said district, but also within

within the Counties of *Dublin*, *Wicklow*, *Kildare* and *Meath*, and within all liberties therein, have all such powers, authorities, privileges and advantages, and be liable to all such duties and responsibilities, as any Constable duly appointed now has or hereafter may have within his constablewick by virtue of the common law of this realm, or of any statutes made or to be made, and shall obey all such lawful commands as they may from time to time receive from any of the said Justices for conducting themselves in the execution of their office.

5.
The Justices may make Regulations for the Management of the Police Force.

And be it Enacted, That the said Justices may from time to time, subject to the approbation of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, frame such orders and regulations as they shall deem expedient, relative to the general government of the men to be appointed members of the Police Force under this Act; the places of their residence; the classification, rank and particular service of the several members; their distribution and inspection; the description of arms, accoutrements and other necessaries to be furnished to them; and which of them shall be provided with horses for the performance of their duty; and all such other orders and regulations relative to the said Police Force, as the said Justices shall from time to time deem expedient for preventing neglect or abuse, and for rendering such Force efficient in the discharge of all its duties; and the said Justices may at any time suspend or dismiss from his employment any man belonging to the said Police Force whom they shall think remiss or negligent in the discharge of his duty, or otherwise unfit for the same; and when any man shall be so dismissed, or cease to belong to the said Police Force, all powers vested in him as a Constable by virtue of this Act, shall immediately cease and determine.

Police Men may be suspended or dismissed by the Justices.

6.
Penalty on Publicans harbouring Policemen during the hours of duty.

And be it Enacted, That if any victualler or keeper of any house, shop, room or other place for the sale of any liquors, whether spirituous or otherwise, shall knowingly harbour or entertain any man belonging to the said Police Force, or permit such man to abide or remain in his house, shop, room or other place during any part of the time appointed for his being on duty, every such victualler or keeper as aforesaid, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay such sum, not exceeding Five Pounds, as they shall think meet.

7.
Powers of Police.

And be it Enacted, That it shall be lawful for any man belonging to the said Police Force, during the time of his being on duty, to apprehend all loose, idle and disorderly persons whom he shall find disturbing the public peace, or whom he shall have just cause to suspect of any evil designs, and all persons whom he shall find

between sunset and the hour of eight in the forenoon lying in any highway, yard or other place, or loitering therein, and not giving a satisfactory account of themselves, and to deliver any person so apprehended into the custody of the constable appointed under this Act, who shall be in attendance at the nearest watch-house, in order that such person may be secured until he can be brought before a Justice of the Peace, to be dealt with according to law, or may give bail for his appearance before a Justice of the Peace, if the constable shall deem it prudent to take bail, in the manner hereinafter mentioned.

8. Assaults on Policemen.

And be it Enacted, That if any person shall assault or resist any person belonging to the said Police Force in the execution of his duty, or shall aid or incite any person so to assault or resist, every such offender, being convicted thereof before Two Justices of the Peace, shall for every such offence forfeit and pay such sum, not exceeding Five Pounds, as the said Justices shall think meet.

9. The Treasury may appoint a person to be the Receiver of all Monies applicable to the purposes of this Act, who shall give security.

And be it Enacted, That it shall be lawful for the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, either to order and direct the Receiver to be appointed under an Act passed or to be passed in this present Parliament, to consolidate and amend the Laws relating to the Constabulary Force in *Ireland*, or to appoint such other person as they may think proper to receive all sums of money applicable to the purposes of this Act, and to revoke such order and direction or remove any such receiver, if he or they shall see occasion so to do, and upon any vacancy in that office by death, removal or otherwise, to appoint another person to be such receiver; and it shall be lawful for the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, to allow to the person who shall be appointed to receive such monies, such yearly salary out of the same, payable quarterly, as they may think proper, not exceeding . . . . Pounds; or if the Receiver to be appointed under the said Act shall be appointed also to receive the said monies under this Act, then and in such case to allow to such Receiver such further yearly salary, payable quarterly out of the said monies, in addition to the salary payable to him under the said Act, as they may think proper not exceeding Pounds; and the receiver for the time being shall give security to His Majesty, in a bond, with Two Sureties, in such sumas the said Lord High Treasurer, or the Commissioners of the Treasury, or any Three or more of them, shall direct, such bond to be conditioned for the faithful performance of his duty by such Receiver, and for the due application of all monies paid to him under this Act; and the Receiver for the time being shall receive all sums of money applicable to the purposes of this Act, and shall keep an exact and particular

particular account thereof, and shall immediately pay all monies, bills and notes by him received under this Act into the hands of the Governor and Company of the Bank of *Ireland*; and the same shall be placed to an account in the books of the said Governor and Company, which shall be intituled, "The Account of the Public Monies of the Receiver for the Metropolitan Police District," inserting the name of the Receiver for the time being; and the said Receiver shall draw out of the Bank from time to time such sums of money as may be necessary for the payment of the salaries, wages and allowances to be paid, as hereinafter mentioned, to the persons belonging to the Police Force appointed under this Act, and also for the payment of all other charges and expenses in carrying this Act into execution; and the said Receiver shall be governed, in respect of his pecuniary transactions, whether of receipt or payment, and in respect of the periods in and for which he shall deliver his accounts, accompanied by the proper vouchers, and as to the manner in which such accounts shall be kept, and prepared and exhibited for audit, by such rules and regulations as shall be issued in that respect from time to time by the said Lord High Treasurer, or the Commissioners of the Treasury, or any Three or more of them; and every draft or order for money on the Bank of *Ireland*, drawn by the Receiver, shall be countersigned by one of the Justices appointed under this Act; and all drafts and orders so drawn and countersigned, but not otherwise, shall be a sufficient authority to the Bank to pay the amount thereof to the persons named in them, or to the bearers of them.

The Money to be placed in the Bank of Ireland, and drawn out by the Receiver.

Receiver's Drafts to be countersigned.

10. Receiver's Accounts to be audited.

And be it Enacted, That the Receiver shall account for the due application of all monies so to be drawn by him out of the Bank of *Ireland*, and shall, once in every Six Months, and oftener, if required by the said Lord High Treasurer or Commissioners of the Treasury, or by the Chief Secretary of the Lord Lieutenant, or in his absence, by the Under Secretary, make out and sign a full and particular account of all monies which shall have been received by him under this Act, and how much thereof hath been paid by him, and for what purposes, together with proper vouchers for the receipts and payments; and such account shall be delivered for the purpose of being examined and audited, either to the Commissioners for auditing the Public Accounts of this Kingdom, or to such other person or persons as the said Lord High Treasurer or Commissioners of the Treasury shall from time to time direct; and the said Receiver shall be subject to the same regulations and penalties in that respect as any public accountant.

11. Salaries and Wages of Policemen to be regulated by the Chief or Under Secretary.

And be it Enacted, That the Receiver, out of the monies so received by him, shall from time to time pay to the persons belonging to the Police Force appointed under this Act, such salaries, wages and allowances

allowances, and at such periods, as the Chief Secretary of the Lord Lieutenant, or in his absence, the Under Secretary, shall direct, and also any extraordinary expenses which they shall appear to have necessarily incurred in apprehending offenders, and executing the orders of either of the Justices appointed under this Act, such expenses being first examined and approved of by one of the said Justices; and the Receiver shall likewise pay any further sums which such Chief or Under Secretary shall direct to be paid to any of the persons belonging to the said Police Force, as a reward for extraordinary diligence or exertion, or as a compensation for wounds or severe injuries received in the performance of their duty, or as an allowance to such of them as shall be disabled by bodily injury received, or shall be worn out by length of service; and he shall also pay all other salaries, charges and expenses which such Chief or Under Secretary shall direct to be paid for carrying this Act into execution, and all salaries and allowances payable to the Divisional Justices, and other persons, under the said recited Act of the forty-eighth year of the reign of his late Majesty, or any Act passed for the amendment thereof.

Rewards for Activity, and Superannuation Allowances.

12. Upon the Death or Removal of Receiver, the Balance of Cash at the Bank shall be transferred to his Successor.

And be it Enacted, That upon the death, resignation or removal of any Receiver appointed under this Act, the balance of cash for which he shall at that time have credit on his account, as Receiver, with the Governor and Company of the Bank of *Ireland*, shall, as soon as a successor shall be appointed to the office of Receiver, actually vest in such successor, and shall be immediately transferred to the account of such successor, to be applied for the purposes of this Act; and the Receiver for the time being is hereby required to issue his drafts or orders, countersigned as aforesaid, for all unsatisfied charges and demands payable out of the monies in the Bank, although the same shall have accrued in the time of any former Receiver.

13. Upon the removal of the Receiver, his Successor may sue for any Balance remaining in his hands.

And be it Enacted, That if any person having resigned, or having been removed from the office of Receiver, shall neglect, within Twenty-one Days after notice for such purpose, to account for and pay to any succeeding Receiver all such sums of money as shall remain in his hands applicable to the purposes of this Act, it shall be lawful for the Receiver for the time being, in his own proper name only, or by his name and description of office, to sue for and recover the same from such person, with double costs of suit, in any of His Majesty's Courts of Record at *Dublin*, by action of debt; in which action it shall be sufficient for such Receiver to declare as for money had and received to the use of such Receiver for the purposes of this Act; and the defendant in the action may, at the discretion of any judge of such court, be held to special bail in such competent sum as

Mode of proceeding.

Special Bail.

as the Judge shall order; and the court in which the action shall be brought may, at the instance of either of the parties, refer the account in dispute in a summary manner, to be audited by any officer of the court, or other fit person, who may examine both plaintiff and defendant upon oath (which oath the said referee shall have power to administer), and upon the report of such referee, unless either of the parties shall show good cause to the contrary, the court may make a rule, either for the payment of such sum as upon the report shall appear to be due, or for staying the proceedings in the action, and upon such terms and conditions as to the court shall appear reasonable; or the court may order judgment to be entered up by confession for such sum as upon the report shall appear to be due.

Court may refer the Accounts to an Officer or Arbitrator.

14.
Mode of proceeding against the Representatives of a deceased Receiver.

And be it Enacted, That in case of the death of any person during the time that he shall be holding the office of Receiver, or after he shall have resigned or been removed from such office, the Receiver for the time being may in his own proper name only, or by his name and description of office, sue for and recover from the executors or administrators of such person deceased all such sums of money as shall have been remaining in his hands applicable to the purposes of this Act, by an action of debt in any of His Majesty's Courts of Record at *Dublin*; in which action it shall be sufficient for the plaintiff to declare that the deceased was indebted to the plaintiff for money had and received to his use for the purposes of this Act, or that the deceased died possessed of money had and received for the purposes of this Act, whereby an action hath accrued to the plaintiff to demand and have the same from such executors or administrators; and the like action may be brought against any executors or administrators of executors or administrators; and in all such actions the defendant or defendants may plead in like manner, and avail themselves of the like matters in defence, as in any action founded upon simple contracts of the original testator or intestate; and the Court may refer the account in dispute to be audited by any officer or person, and may proceed upon the report of such Referee in like manner as is hereinbefore mentioned; and in all actions to be brought, as well as in all proceedings whatsoever to be instituted or carried on by any Receiver by virtue of this Act, proof of his acting in the execution of the office of Receiver shall be sufficient evidence of his holding such office, unless the contrary shall be shown in evidence by the defendants in such actions, or the parties against whom such proceedings shall be instituted or carried on.

Proof of the Receivers' official character.

15.
The Receiver shall contract for any Land or Buildings that may be required.

And be it Enacted, That the Receiver for the time being shall make all such contracts and disbursements as shall be necessary for purchasing or renting any land or buildings, or for erecting,

The Property to be vested in him.

fitting up, furnishing or repairing any buildings for the purposes of this Act, in such manner as the Chief Secretary of the Lord Lieutenant, or in his absence, the Under Secretary shall direct, subject, nevertheless, to such regulations as the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, shall from time to time think fit to establish in respect of all such contracts and disbursements; and of all lands and buildings so to be purchased or rented, and of the fixtures and furniture thereof, and of all goods and chattels whatsoever to be from time to time held or purchased for the purposes of this Act, the property acquired therein shall be vested in the Receiver for the time being, in whom also shall be vested the property of all watch-houses, watch-boxes, arms, accoutrements and other necessaries to be given up as hereinafter mentioned; and the Receiver for the time being may, by the directions of such Chief or Under Secretary, sell, assign or dispose of the whole or any part of any such property as aforesaid, and shall execute all such lawful matters for carrying this Act into execution as such Chief or Under Secretary shall from time to time direct.

16. Corporations and others empowered to sell Land to the Receiver.

And be it Enacted, That it shall be lawful for all bodies corporate, and also for all Commissioners or Trustees for public purposes, and for tenants for life or in tail, and for the husbands, guardians, trustees, committees or attornies of such of the proprietors or persons interested in any lands or buildings required for the purposes of this Act as shall by reason of any legal disability or of absence beyond the seas be incapable of acting for themselves, to contract and agree with the Receiver for the time being, either for the absolute sale of such lands or buildings, or for a lease thereof for such period as the Receiver shall require, and to convey, demise or grant the same to the Receiver in trust for the purposes of this Act; and all such contracts, sales, conveyances, leases and grants shall be valid and effectual in law to all intents and purposes; and in case any body corporate, commissioners, trustees or other persons hereby authorized to contract on behalf of themselves or others as aforesaid, shall neglect or refuse to agree with, or by reason of disability or absence shall be prevented from agreeing with the Receiver for the sale or lease of any land or buildings required by him, or in case the proprietors or persons interested therein cannot be found or known, or shall not produce and evince a clear title to the land or buildings so to be purchased or rented, or to the interest they shall claim therein, to the satisfaction of the Receiver, in every such case all the powers now by law vested in the Commissioners for making Wide and Convenient Streets and Passages in the city of *Dublin*, and all provisions made by any Act or Acts relating to such Commissioners, and now in force with regard to the valuation of

In case of disagreement, &c, the Value shall be assessed by a Jury.

estates

estates and interest by a jury, the conclusive effect of the verdict of the jury, and all matters preparatory to, concomitant with, and consequent or contingent upon the valuation by a jury, shall, so far as the same are or can be applicable, be applied and extended to the valuation of any land or buildings required for the purposes of this Act, in as full and ample a manner to all intents and purposes as if those provisions had been repeated and expressly re-enacted in this Act; and all such matters as by those provisions are authorized or required to be done by such Commissioners, or any number of them, shall, under this Act, be done by the Receiver for the time being.

17. Upon the appointment of a Receiver, the Balance of Cash at the Bank to the Credit of the Receiver of the Public Offices, shall be transferred to him.

And be it further Enacted, That upon the appointment of a Receiver under this Act, the office and duties of the Receiver of the Public Offices appointed under the said recited Act of the forty-eighth year of his late Majesty King GEORGE the Third shall cease and determine, and the balance of cash for which such Receiver of the Public Offices shall at that time have credit on his account as Receiver with the Governor and Company of the Bank of *Ireland*, and all cash and monies in the hands of such Receiver as such, shall actually vest in the Receiver appointed under this Act, and shall be immediately transferred to the account of and paid to such Receiver appointed under this Act, to be applied for the purposes of this Act; and the said last-mentioned Receiver for the time being is hereby required to issue his drafts or orders, countersigned as aforesaid, for all unsatisfied charges and demands payable out of the monies in the Bank, although the same shall have accrued in the time of said Receiver of the Public Offices.

18. No Justice, &c. under this Act, to sit in Parliament.

No Justice, Receiver, Policeman, &c. appointed under this Act, to vote at certain Elections.

Penalty, 100*l.*

And be it Enacted, That no Justice of the Peace or Receiver appointed by virtue of this Act shall, during the continuance of such appointment, be capable of being elected or of sitting as a Member of the House of Commons; and no Justice, Receiver, or person belonging to the Police Force appointed by virtue of this Act shall, during the time that he shall continue in any such office, or within Six calendar Months after he shall have quitted the same, be capable of giving his vote for the election of a Member to serve in Parliament for the Counties of *Dublin*, *Wicklow*, *Kildare* or *Meath*, or for the County of the City of *Dublin*, or for any city or borough within the said Police District, nor shall, by word, message, writing, or in any other manner, endeavour to persuade any elector to give, or dissuade any elector from giving his vote for the choice of any person to be a Member to serve in Parliament for any such county, city or borough; and if any such Justice, Receiver or person belonging to the Police Force shall offend therein, he shall forfeit the sum of One hundred Pounds, to be recovered by any person

who will sue for the same, by action of debt, to be commenced within Six calendar Months after the commission of the offence; and one Moiety of the sum so recovered shall be paid to the informer, and the other Moiety thereof to the Receiver appointed under this Act, to be by him added to and applied as part of the funds for the purposes of the Police under this Act: Provided always, That nothing in this Enactment contained shall subject any such Justice, Receiver or person belonging to the Police Force, to any penalty for any act done by him at or concerning any of the said elections in the discharge of his official duty.

Proviso.

19. The present Police, &c. in the Metropolitan District shall continue until it shall be notified that the new Police is appointed, and then all Watchboxes, Arms, &c. shall be given up to the New Police.

AND whereas some time must elapse before a new Police Force can be appointed throughout the whole of the Metropolitan Police District; BE it therefore Enacted, That the constables, patroling constables, watchmen, and others of the Police and Watch already appointed within the limits of the said District, may, notwithstanding the passing of this Act, continue to act in their respective appointments, and shall be subject to the same authorities as heretofore, until it shall be notified by the Justices appointed under this Act that a new Police will be ready to undertake the charge of the said District, on some day to be specified in the notice of the said Justices; which Notice shall be published on Two successive Days in the *Dublin* Gazette, and in Two public Newspapers published in the City of *Dublin*, and shall be delivered to the Divisional Justices at the Head Office, previous to the day named for the same to take effect; and upon the day so named the constables, patroling constables, night watch, and other Police appointed within the said district previously to or independently of this Act, shall be discontinued; and all watch-houses and watchboxes in the said District, and all arms, accoutrements and other necessaries provided at the public expense for the watch and police therein, shall be given up to such persons as shall be named by the said Justices, for the use and accommodation of the Police to be appointed under this Act; and in case any person having the charge, control or possession of any watch-house, watchbox, arms, accoutrements or necessaries as aforesaid, shall neglect or refuse to give up the same as hereinbefore required, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay, over and above the value of the property not given up, such sum not exceeding Five Pounds, as the said Justices shall think meet; and where there shall be any building in any such parish or place as aforesaid, a part only of which building shall have been heretofore used as a watch-house, such part shall be given up every day from the hour of Four in the afternoon until the hour of Nine in the forenoon, for the use and accommodation of the Police Force to be appointed under this Act; and if any person having the charge, control

Penalty for not giving up the Watch-boxes, &c.

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control or possession of any such building shall neglect or refuse to give up such part thereof for the purposes aforesaid, or to permit free access thereto or egress therefrom, during any portion of the time above prescribed, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay such sum, not exceeding Five pounds, as the said Justices shall think meet.

20. Power to set up Watch-boxes.

And be it Enacted, That the Justices appointed under this Act, subject to the approbation of the Chief Secretary of the Lord Lieutenant, or his Under Secretary for the time being, may order such a number of watchboxes as they shall from time to time think fit to be placed or fixed in such parts of the highways in any of the parishes and places within the Metropolitan Police District as the said Justices shall deem most convenient.

21. No Constable to be a menial Servant, &c.

And be it further Enacted, That no person so appointed a Constable shall be or act as a domestic or menial servant to any person whatsoever; and that any of the said Justices, Receiver, or any other officer or clerk who shall retain or employ any Constable as a domestic or menial servant, shall for every such offence forfeit and pay the sum of One hundred Pounds, to be recovered by civil bill in the Court of the Recorder of the city of *Dublin*.

22. No Brewer, &c. to hold any Police Office.

And be it further Enacted, That no person using or exercising the trade or business of a brewer or distiller, or dealer in wine by retail to licensed public-houses, or being a partner of such; no person who shall have a license or licenses to sell malt liquors or spirituous liquors, or who shall in any manner be engaged as a seller thereof; no victualler nor person keeping a public-house shall be capable of holding any office or situation whatsoever under this Act.

23. Justices to raise like Taxes as present Divisional Justices.

And be it further Enacted, That until some further provision shall be made by authority of Parliament for the support and maintenance of the said Constables and Watchmen, and for providing watch-houses, arms, accoutrements, watch coats, lanterns, fire and candle-light, and other necessaries for the purposes of this Act, the said Justices to be appointed under this Act shall be and they are hereby authorized from time to time to raise and levy the like rates and assessments on all houses and tenements within the said Police District of *Dublin* Metropolis, which under or by virtue of any Act in force immediately before the passing of this Act, are or shall be liable to be rated and assessed to any such rate or assessment as the divisional Justices appointed under the said Act of the forty-eighth year of the reign of his late Majesty King GEORGE the Third, by the said recited Acts, or any of them, were authorized and empowered to collect, raise, assess and levy.

24. And to appoint Collectors of said Taxes.

And be it Enacted, That it shall and may be lawful to and for the said Justices to be appointed under this Act, to appoint such number of fit and proper persons as they shall think proper to collect and receive all rates, taxes and assessments which shall at any time or times hereafter be assessed or become payable from or out or in respect of any houses or house, tenements or tenement, for the support of the said Watch Establishment as aforesaid, and the several persons so appointed shall be called "Collectors of the Watch Tax;" and the names of the persons so appointed shall be entered in a book to be kept for that purpose at the office to be appointed under this Act; and every collector so appointed shall from time to time, as and for his payment for the execution of his said office, deduct and retain to his own use, out of all and every sum and sums of money received by him, such part or proportion thereof, not exceeding One Shilling in the pound, as shall be directed by the said Justices.

25. Collector to give Security for faithful discharge of his Duty, and to account on Oath.

And be it Enacted, That every person who shall be so appointed a collector of the said rates and assessments, shall give sufficient security to the satisfaction of the said Justices appointed under this Act, by bond payable to His Majesty, His heirs and successors, which bond said Justices are hereby empowered and required to take, conditioned for the due and faithful execution and discharge of his said office and duty; and every such collector shall under his hand, at such time and times as the said Justices shall direct, deliver to them, or either of them, or to such person as they shall appoint, true and perfect accounts in writing of all monies which shall have been received by him by virtue and for the purposes of this Act, and of all monies paid by him to the said Receiver, together with the proper vouchers for such payments; and all the said persons so accounting as aforesaid, shall verify their accounts upon oath (which oath the said Justices, or any one of them, is and are hereby empowered and required to administer); and if any such person shall refuse or neglect to make or render, or shall neglect or refuse to verify upon oath any such account, or to produce or deliver the vouchers relating to the same, or to make payment as aforesaid, or shall not deliver to the said Justices, or to one of them, or to such other person as they shall appoint, within Ten Days after being thereunto required, all the books, papers and writings in his custody or power, relating to the trust reposed in him, or shall refuse or neglect to pay such monies as upon the balance of any account or accounts shall appear to be in his hands, to the said Receiver, every such person shall for every such neglect respectively forfeit the sum of Fifty Pounds; to be recovered by the said Justices by Civil Bill in the court of proper jurisdiction.

26. Collectors to furnish their Accounts of Receipts to Head Office weekly.

And be it further Enacted, That each and every of the said several collectors shall, on the Saturday in each week, furnish a just and true account

account of all monies received by him in the course of that week, in such manner as shall be directed, to the said Justices; and in case any such collector shall refuse or neglect so to do, such collector shall for such default be subject and liable to such fine as the said Justices shall think proper, not exceeding Five Pounds for each and every such offence, to be levied by warrant under their hands and seals out of the goods and chattels of such offender.

27. Collectors to pay their Balances to the Receiver weekly.

And be it further Enacted, That every collector of the said rates and assessments shall, on the Saturday in every week, pay to the Receiver to be appointed under this Act, all monies received by him, and then in his hands, by virtue of this Act.

28. Justice may order any Collector to attend, and fine him for Offences.

And be it further Enacted, That the said Justices to be appointed under this Act, or either of them, as often as it shall appear to them or him that the said several collectors, or any of them, have not done their duty, shall give orders for the attendance of such collector or collectors at the said office to be appointed under this Act, to answer touching such matter, and shall for the first offence fine the collector or collectors in any sum not exceeding Twenty Shillings, and for every succeeding offence impose a fine not exceeding Three Pounds nor less than Twenty Shillings; the said fines to be levied by warrant under their hands and seals out of the goods and chattels of such offender.

29. Justices to raise and levy all Taxes and Arrears.

And be it further Enacted, That it shall and may be lawful for the said Justices, after the day of One thousand eight hundred and , to levy or cause to be levied and raised in their own names all duties, taxes, assessments and fines now payable, or which, if this Act had not passed, would hereafter become payable to the said divisional Justices, or any of them, and also all arrears thereof respectively that shall be due and owing on the said day, or which by law the said divisional Justices, or any of them, might or ought to have levied and raised, by such ways and means as they would have been enabled to raise and levy the same respectively if this Act had not been passed; and that all carriage rates, carriage duties, carriage rents, license duties, fines, fees and all other monies whatsoever, payable to, or receivable by the Receiver appointed under the said recited Act of the forty-eighth year of the reign of his late Majesty King GEORGE the Third, shall from and after the appointment of a Receiver under this Act, be paid to and received by such receiver appointed under this Act, to be by him applied to and for the purposes of this Act.

30. Divisional Justices to deliver up to Justices appointed by

And be it further Enacted, That the said divisional Justices shall, within Ten Days after being thereto required in writing by the Justices to be appointed under this Act, deliver up or cause to be delivered

this Act, all Books of Accounts, Receipts, Taxes, &c. within Ten Days after being required so to do.

up to the said last-mentioned Justices, all books of account, books of receipts and payments of all monies, books of taxes, collectors books, books of house tax, hackney coach tax, and all others of every nature, kind and description whatsoever, in anywise belonging to or connected with the collection, assessment and levying of all and every the taxes, rates, duties and other monies hereby made payable to the Receiver to be appointed under this Act; and shall also deliver or cause to be delivered to the said Receiver to be appointed under this Act a just and true account of all arrears of taxes, and all balances of taxes, duties, rents and other monies of what nature and kind soever, due to the said divisional Justices, or to the said former Receiver; and that the said divisional Justice or Justices, and such of their clerks respectively as were in anywise concerned in keeping such books and making such entries of receipts and payments and proceedings, shall respectively make oath of the truth of the said books and accounts, and of the entries therein respectively; and also that no book, account or entry of any of the said matters, has been suppressed or withheld from the said Justices, to the knowledge or belief of the person so making every such affidavit, such oath to be made before the Lord Mayor of the City of *Dublin*, who is hereby authorized and required to administer such oath; and in case the said divisional Justices, clerk or clerks, shall refuse or neglect to deliver such book or books, or other papers, or to make such affidavit as above directed, or shall detain any such book or books, or papers, such person who shall so refuse, neglect or detain, being thereof duly convicted before the Justices appointed under this Act, shall forfeit and pay the sum of One hundred Pounds, to be levied by distress and sale of the offender's goods by warrant under the hands and seals of the said last-mentioned Justices.

31. Accounts to be laid before Parliament annually.

And be it Enacted, That an account of all monies received and expended for the purposes of this Act, made up to the Thirty-first day of December in each year, shall annually be laid before both Houses of Parliament within Thirty Days thereafter, if Parliament be then sitting, or within Thirty Days after the first meeting of Parliament subsequent to the Thirty-first of December; and such account shall specify the total sum received for every tax, rate, rent, duty or other charge, for the purposes of this Act; and such account shall also specify the different heads of expenditure for the purposes of the Police, and the amount actually expended under each.

32. Allowances to disabled Persons acting under this Act.

And be it further Enacted, That if any of the said Justices, Receiver, Constables or other persons holding any office whatsoever, under or by virtue of this Act, shall, by age, sickness or accident, become unable to perform the duties of such office, and shall therefore resign or be removed from the same, it shall and may be lawful to and for the Lord

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Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, if he or they shall think proper so to do, to direct that a pension charged on the funds applicable to the support of the said Police Establishment, clear of all taxes and deductions, shall be paid to every such person, not exceeding Two-thirds of the salary payable to such person by virtue of this Act immediately previous to his so resigning or being removed; provided that no person shall be entitled to receive any such pension or allowance, unless he shall be above the age of sixty years, or shall have served Twenty-five Years, or shall have been disabled by any unavoidable accident or permanent disease acquired in the performance of his duty under this Act.

33. Rights, Powers, &c. of Divisional Justices to continue when not altered by this Act.

And be it further Enacted, That in all cases not altered or otherwise ordained or directed by this Act, all and every the rights, powers, privileges, jurisdictions and authorities whatsoever, now vested in the said divisional Justices, under any Act or Acts of Parliament not hereby repealed, and all and every other matter or thing whatsoever, which the said divisional Justices are by any law now in force required, directed or empowered to do or execute, save and except in the cases aforesaid, shall and may from and after the passing of this Act, be respectively vested in and exercised, done and executed by the said divisional Justices; and all and every act, matter or thing so done or executed, shall thereupon be of the same force, validity and effect, to all intents and purposes whatsoever as if this Act had not been passed.

34. Constables, &c. under this Act, invested with same powers as similar officers under Act 48 Geo. 3.

And be it further Enacted, That all Constables, Watchmen and Collectors appointed under this Act shall, to all intents and purposes, have and exercise the several powers, authorities, and privileges respectively given to or vested in the Constables, Watchmen, and Collectors appointed under the said Act of the forty-eighth year of the reign of his late Majesty King GEORGE the Third, by the said Act, or by any other statute or law now in force, except where the contrary is directed by this Act, or where the same would be repugnant to, or inconsistent with any provision herein contained.

35. Summons, &c. for offences punishable on summary Conviction under this Act.

AND for the more effectual prosecution of offences punishable upon summary conviction by virtue of this Act; BE it Enacted, That where any person shall be charged, on the oath of a credible witness, with any such offence before any Justice of the Peace, the Justice may summon the person charged to appear before any two Justices of the Peace, at a time and place to be named in such summons; and if the person charged shall not appear accordingly, then (upon proof of the due service of the summons, by delivering a copy thereof to such person, or by delivering a copy to the wife or servant or some inmate of the family of such person, at his usual place of abode,) the Justices

before whom he ought to have appeared may either proceed to hear and determine the case *ex parte*, or may issue their warrant for apprehending such person, and bringing him before them: Provided always, That the prosecution for any offence punishable upon summary conviction by virtue of this Act, shall be commenced within Three calendar Months after the commission of the offence, and not otherwise.

Limitation of time for such proceedings.

36. And be it Enacted, That every sum which by any Justices of the Peace shall be adjudged to be paid for any offence against this Act shall be paid to the Receiver appointed under this Act, to be by him added to and applied as part of the funds for the purposes of the Police under this Act; and no person, although liable to the payment of money for the maintenance of the Police under this Act, shall by reason thereof, or by reason of the application of any penalty to the use of the Police Funds, be deemed to be an incompetent witness before any Court or Justice or Justices of the Peace in any proceeding whatever for any offence against this Act, or in any matter relating to the money to be raised for the maintenance of the Police, or in any other matter mentioned in this Act; and no Justice of the Peace shall be disabled from acting in the execution of this Act by reason of his being liable to the payment of any money for the maintenance of the Police under this Act.

Application of Penalties.

Persons paying Police Rate may give Evidence or act as Justices.

37. And be it Enacted, That the Justices of the Peace by whom any person shall be convicted and adjudged to pay any sum of money for any offence against this Act, may adjudge that such person shall pay the same either immediately or within such period as they shall think fit; and that in default of payment at the time appointed, he shall be imprisoned in the common gaol or house of correction for any term not exceeding Two calendar Months, where the sum to be paid shall not exceed Five Pounds, and for any term not exceeding Four calendar months where the sum shall not exceed Ten Pounds, and for any term not exceeding Six calendar Months in any other case; the imprisonment to cease in each of the cases aforesaid upon payment of the sum due.

Scale of Imprisonment for Non-payment of Penalties.

38. And be it Enacted, That the Justices before whom any person shall be summarily convicted of any offence against this Act may cause the conviction to be drawn up in the following form of words, or in any other form of words to the same effect, as the case may require; (that is to say)

Form of Conviction.

"to wit. } Be it Remembered, That on the day of in the year of our Lord at in the county of *A. B.* is convicted before us, [*naming* the *Justices*,] Two of His Majesty's Justices of the Peace for the said

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said county, for that he the said *A. B.* did [*specify the offence, and the time and place when and where the same was committed, as the case may be*]; and we the said Justices adjudge the said *A. B.* for his said offence to forfeit and pay the sum of [*here state the amount of the sum to be paid*]; and in default of immediate payment of the said sum, to be imprisoned in the for the space of unless the said sum shall be sooner paid; [*or*, and we order that the said sum shall be paid by the said *A. B.* on or before the day of and in default of payment on or before that day, we adjudge the said *A. B.* to be imprisoned in the for the space of unless the said sum shall be sooner paid]; and we direct that the said sum shall be paid to the Receiver for the Metropolitan Police District, to be by him applied according to the Act passed in the sixth year of the reign of His Majesty King WILLIAM the Fourth, intituled, 'An Act for improving the Police in the District of *Dublin* Metropolis.' Given under our hands the day and year first above-mentioned."

39. No Certiorari, &c.

And be it Enacted, That no conviction, order, warrant or other matter, made or purporting to be made by virtue of this Act, shall be quashed for want of form, or be removed by *certiorari* or otherwise into any of His Majesty's Courts of Record at *Dublin*; and no warrant of commitment shall be held void by reason of any defect therein, provided that it be therein alleged that the party has been convicted, and there be a good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress, or other proceedings relating thereto; nor shall the party distraining be deemed a trespasser *ab initio*, on account of any irregularity afterwards committed by him, but the person aggrieved by such irregularity may recover full satisfaction for the special damage, if any, in an action upon the case.

As to informality in Warrants, &c.

40. Venue in proceedings against persons acting under this Act.

AND, for the protection of persons acting in the execution of this Act, BE it Enacted, That all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act shall be laid and tried in the county where the fact was committed, and shall be commenced within Six calendar Months after the fact committed, and not otherwise; and notice in writing of such action, and of the cause thereof, shall be given to the defendant One calendar Month at least before the commencement of the action; and in any such action the defendant may plead the General Issue, and give this Act and the special

Notice of Action.

General Issue.

Tender of Amends, &c.

special matter in evidence at any trial to be had thereupon; and no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into court after such action brought, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if, upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant, unless the Judge before whom the trial shall be shall certify his approbation of the action, and of the verdict obtained thereupon.

41.
48 G. 3, c. 140, s. 90, in part repealed.

And be it Enacted, That so much of the said Act of the forty-eighth year of the reign of his late Majesty King GEORGE the Third, as enacts that the sums presented by the term grand jury of the county of the city of *Dublin* for the Houses of Correction within the said Police District of *Dublin* Metropolis, and for necessaries therein, and for salaries to the keepers thereof, shall be paid over by the Treasurer of the County of the City of *Dublin* to the Receiver appointed under the said Act, shall be and the same is hereby repealed; and the monies from time to time presented and raised for the aforesaid purposes, or any of them, shall, until Parliament shall otherwise provide, be paid, expended and accounted for by said Treasurer, in like manner and under the like regulations as any other monies presented by said grand jury, and paid, disbursed and accounted for by such Treasurer; and the securities of such Treasurer shall be security for the payment, expenditure and accounting for all such sums.

42.
Form of Oath.

And be it further Enacted, That every person appointed under this Act, shall, before he shall do any act in his said office, take and subscribe the Oath following; (that is to say)

"I, *A. B.* do swear, That I will well and truly serve our Sovereign Lord the King, in the office of [*as the case may be*,] without favour or affection, malice or ill-will; that I will see and cause His Majesty's peace to be kept and preserved; and that I will prevent, to the best of my power, all offences against the same; that while I shall continue to hold the said office, I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully, according to law; and that I do not now belong to, and that while I shall hold the said office, I will not join, or belong to, any political society whatsoever.

"So help me GOD."

And

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And the said oath shall be administered to the Justices to be appointed under this Act at the same time, and by the same persons, with the other oaths to be by them taken; and the said oath shall be administered to all Constables so appointed by one of the said Justices, and shall in all cases be subscribed by the person taking the same.

43. Act may be altered this Session.

And be it Enacted, That this Act may be amended, altered or repealed by any Act to be passed in this present Session of Parliament.

44. Public Act.

And be it Enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken notice of as such, by all Judges, Justices, and others, without being specially pleaded.

Dublin Police.

(Ireland.)

A

B I L L

For improving the Police in the District of the *Dublin* Metropolis.

(*Prepared and brought in by Lord Viscount Morpeth, and Mr. Attorney General for Ireland.*)

Ordered, by The House of Commons, *to be Printed,* 22 *March* 1836.

(Ireland.)

A

B I L L

To consolidate the Trusts of the several Turnpike Roads in the Neighbourhood of the City of Dublin, and to substitute a Local Rate or Assessment in lieu of the Tolls levied on such Roads within the County of Dublin.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS the several Roads in the neighbourhood of the City of Dublin, which are particularly mentioned and described in the Schedule hereunto annexed, are respectively made, improved, repaired and maintained under the powers and provisions of the following Acts; (that is to say), an Act made in the Parliament of Ireland in the thirty-fifth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for improving and repairing the Turnpike Roads leading from Dublin to Mullingar, and for repealing the several Laws heretofore made relating to the said Road;" an Act made in the Imperial Parliament in the fifty-seventh year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act passed in the Parliament of Ireland in the thirty-fifth year of his present Majesty for improving and repairing the Turnpike Road leading from Dublin to Mullingar, and for repealing the several Laws theretofore made relating to the said Road;" an Act passed in the Imperial Parliament in the fifty-ninth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for more effectually improving and repairing the Road leading from the City of Dublin to Navan, in the county of Meath;" an Act made in the Parliament of Ireland in the thirty-eighth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for amending the Road from Dublin to Knockredan, in the County of Dublin;" an Act passed in the Parliament of Ireland, in the fortieth year of the reign of King GEORGE the Third,

Preamble:

Dublin to Mullingar, 35 G. 3 c. 43.

Dublin to Mullingar, 57 G. 3. c. 49.

Dublin to Navan, 59 G. 3. c. 109.

Dublin to Knockredan, 38 Geo. 3. 40 Geo. 3.

Third, intituled, "An Act to amend an Act passed in the thirty-eighth year of the reign of his present Majesty, intituled, 'An Act for amending the Road from Dublin to Knockredan in the County of Dublin;'" an Act passed in the Parliament of Ireland in the thirty-seventh year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for improving and repairing the Roads leading from the City of Dublin to Ratoath and Curragha, and for altering and amending an Act passed in the thirty-fifth year of His present Majesty's reign, intituled, 'An Act for making, widening and repairing the Road leading from the City of Dublin to Ratoath, and for erecting Turnpikes thereon in aid of Barony Presentments;'" an Act passed in the thirty-ninth year of the reign of his Majesty King GEORGE the Third, intituled, "An Act for amending an Act passed in the thirty-seventh year of the reign of His present Majesty, intituled, 'An Act for improving and repairing the Roads leading from the City of Dublin to Ratoath and Curragha, and for altering and amending an Act passed in the thirty-fifth year of His present Majesty's reign, intituled, 'An Act for making, widening and repairing the Road leading from the City of Dublin to Ratoath, and for erecting Turnpikes thereon in aid of Barony Presentments;'" an Act passed in the Imperial Parliament in the seventh and eighth years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for repairing and improving the Road from Dublin by Ashbourne to Slane and Drogheda;" an Act passed in the Imperial Parliament in the tenth year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for making and maintaining the Road leading from Dublin through Blessington and Baltinglass to near the Town of Carlow;" an Act passed in the Imperial Parliament in the tenth year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for more effectually repairing the Road from Dublin to Dunleer;" an Act passed in the Parliament of Ireland in the thirty-first year of the reign of his late Majesty, intituled, "An Act for amending the several Laws for making, widening and repairing the Roads leading from Dublin to Malahide, and the Roads leading to Dublin over Ballybough Bridge, in the said Acts mentioned, and for enabling the Trustees for the said purposes to borrow further Sums of Money for such purposes, and for continuing the said Acts for a further Term, and for improving the Neighbourhood of Ballybough Bridge;" an Act passed in the thirty-second year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for enabling the Trustees for making, widening and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge, pursuant to several Acts of Parliament, more effectually to carry said Acts into execution;" an Act passed in the Parliament of Ireland in the thirty-third year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the amending the several Laws for making, widening and repairing the Road from Dublin to Malahide and the other

Dublin to Ratoath and Curragha, 37 G. 3. c. 29.

Amended by 39 G. 3. c. 46.

Dublin by Ashbourne to Slane and Drogheda, 7 & 8 Geo. 4. c. 46.

Dublin through Blessington to Carlow, 10 G. 4. c. 75.

Dublin to Dunleer, 10 G. 4. c. 63.

Malahide and other places to Dublin, 31 G. 3. c. 50.

Amending ditto, 32 G. 3. c. 37.

Amending 32 G. 3. c. 37. 33 G. 3. c. 26.

other Roads leading to Dublin over Ballybough Bridge, and for enabling the Trustees for the said purposes to borrow a further Sum to complete a new Communication Eastward of Ballybough Bridge;" an Act passed in the Parliament of Ireland in the thirty-eighth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for granting certain Tolls, Rates and Duties to be taken at the Turnpikes on the Road leading over Ballybough and Annesley Bridge, in aid of the Barony Presentments, and in lieu of the Tolls formerly payable at such Turnpikes, and for amending the Laws for making, widening and repairing the said Roads, and for making perpetual the several Acts of Parliament relating thereto;" an Act passed in the Imperial Parliament in the fifty-sixth year of the reign of His late Majesty King GEORGE the Third, intituled, "An Act for altering and improving part of the Turnpike Road leading from the City of Dublin to the New Park and Harbour of Howth, for the conveyance of His Majesty's Mails, and for amending the several Laws relating to the said Roads;" so much and such parts of an Act passed in the Imperial Parliament in the fourteenth year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for vesting in Commissioners the Bridges now building over the Menai Straits, and the River Conway and the Harbour of Howth and Holyhead, and the Road from Dublin to Howth, and for the further improvement of the Road from London to Holyhead as relates to the Mail Coach Road between the General Post Office in the City of Dublin and the new Packet Harbour at Howth, and the Road called the North Strand, commencing at the Circular Road near to the City of Dublin and ending at Annesley Bridge, and thereby vested in the Commissioners named in the said Act;" an Act passed in the Parliament of Ireland in the twenty-sixth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for making, widening and repairing the Road leading from the City of Dublin to Malahide, and for erecting Turnpike Gates and receiving the Tolls thereout in aid of the Barony Presentments, and for appointing Trustees for carrying the said purposes into execution;" an Act passed in the Parliament of Ireland in the twenty-eighth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for extending to the Roads leading to Dublin through Raheny and Clontarf the provisions of an Act passed in the twenty-sixth year of his late Majesty's reign, intituled, 'An Act for making, widening and repairing the Road leading from the City of Dublin to Malahide, and for erecting Turnpike Gates and receiving Tolls thereout in aid of the Barony Presentments, and for appointing Trustees for carrying the said purposes into execution, and for continuing the said Act;'" an Act passed in the Parliament of Ireland in the twenty-ninth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for rendering more effectual Two several Acts, one passed in the twenty-sixth year of His Majesty's

Amending ditto, 38 G. 3. c. 47.

Amending ditto, 56 G. 3. c. 71.

Part of 4 G. 4. c. 74.

Malahide to Dublin, 26 G. 3. c. 30.

Raheny and Clontarf to Dublin, 28 G. 3. c. 48.

Raheny and Clontarf to Dublin, 29 G. 3. c. 24.

Majesty's reign, intituled, 'An Act for making, widening and repairing the Road leading from the City of Dublin to Malahide, and for erecting Turnpike Gates and receiving Tolls thereout in aid of the Barony Presentments, and for appointing Trustees for carrying the said purposes into execution,' and the other Act, passed in the twenty-eighth year of the reign of His Majesty, intituled, 'An Act for extending to the Road leading from Dublin through Raheny and Clontarf the provisions of an Act passed in the twenty-sixth year of His Majesty's reign, intituled, 'An Act for making, widening and repairing the Road leading from Dublin to Malahide, and for erecting Turnpike Gates and receiving Tolls thereout in aid of the Barony Presentments, and for appointing Trustees for carrying the said purposes into execution, and also for continuing the said Act;'" an Act passed in the Parliament of Ireland in the thirty-eighth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to explain and reduce into one Act the several Laws for making, improving and repairing the Turnpike Road leading from the City of Dublin to Kilcullen Bridge in the county of Kildare, and to the Twenty-one Mile-stone Westward of the said Bridge, and for prolonging the duration of the Act for repairing the Road from Naas to Limerick, and for the further Improvement of the Road from Kilworth Mountain to the City of Cork;" an Act passed in the Parliament of Ireland in the third year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for making more convenient the Approaches to the City of Dublin, by making a new Turnpike Road on the South Side, the West Side and the North Side of the said City, to commence at the Road leading from Dublin to Donnybrook, and to terminate at Cavendish Street;" an Act passed in the fifteenth and sixteenth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to explain and amend an Act made in the third and fourth years of the reign of His present Majesty, intituled, 'An Act for making more convenient the Approaches to the City of Dublin, by making a new Turnpike Road on the South Side, the West Side and the North Side of said City, to commence at the Road leading from Dublin to Donnybrook, and to terminate at Cavendish Street;'" an Act passed in the Parliament of Ireland in the seventeenth and eighteenth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for making and keeping in repair a Circular Road round the City of Dublin;" an Act passed in the Parliament of Ireland in the twenty-fifth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to amend an Act made in the seventeenth and eighteenth years of the reign of His present Majesty, intituled, 'An Act for making and keeping in repair a Circular Road round the City of Dublin;'" an Act passed in the Parliament of Ireland in the fortieth year of the reign of his late Majesty King GEORGE the Third, intituled,

Dublin to Kilcullen Bridge, 38 G. 3. c. 83.

3 Geo. 3.

15 & 16 G. 3. c. 38.

17 & 18 G. 3.

Amended by 25 G. 3. c. 56.

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intituled, 'An Act to amend and render more effectual the Laws now in force for making and keeping in repair a Circular Road round the City of Dublin :' "

Amended by 40 G. 3. c. 74.

And whereas if the said several Roads mentioned and described in the said Schedule hereunto annexed, and which comprise the principal approaches to the city of Dublin were vested in and placed under the care and management of the Commissioners for the Execution and Promotion of Public Works in Ireland, the said Roads might be repaired and maintained under a more economical and effective system of management, and it is therefore expedient that the several Trustees by the said several Acts appointed, and under whom, or by Lessees acting under whom, the said Roads are now repaired and maintained, should be discharged from the future management of such Roads, and that the superintendence and management of the said Roads should be vested in the said Commissioners, and that the Trusts of the said several Roads should be consolidated, and that all the powers and authorities given by the said several recited Acts to the several Trustees or Lessees named in or appointed by or under the said Acts, or such of the said powers and authorities as it is now necessary or expedient to retain should be transferred from such Trustees and Lessees to the said Commissioners, and that such other powers should be given to the said Commissioners as may be necessary for the more economical and effective management of such Roads: And whereas certain Roads on the southern side of the city of Dublin are free from Turnpike Toll, and it is expedient that all Roads issuing from the said city and being within the county of Dublin or the county of the city of Dublin should also be free from Turnpike Toll, and that a fund should be raised for the maintenance and repair of such Roads by a rate or assessment on houses and lands within such county of Dublin and county of the city of Dublin for the maintenance and repair of the said Roads: And whereas in order to accomplish the purposes aforesaid it is expedient to repeal so much of the said several Acts as in any way relate to any Road or Roads mentioned and described in the said Schedule to this Act annexed;

May it therefore please Your MAJESTY,

That it may be Enacted, And be it Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the *First* day of *January One thousand eight hundred and Thirty-seven* the said hereinbefore recited Acts and parts of Acts or so much thereof as in any way relate to any road or roads mentioned and described in the Schedule to this Act annexed, and all and every other Act or Acts providing for the altering, repairing or amending of the said

1. Recited Acts repealed.

said several roads so mentioned and described, or any of them so far only as such Acts relate thereto, shall be and the same are hereby Repealed, save and except so far as the said recited Act or any other Acts, or any of them, or any parts thereof, repeal the whole or any part of any other Act or Acts, and also save and except so far as relates to any acts, matters and things done or to be done at any time before the said *First* day of *January One thousand eight hundred and Thirty-seven*, all which acts, matters and things shall be and remain good, valid and effectual to all intents and purposes whatever as if this Act had not been passed, and also save and except as to the recovery and application of any penalty for any offence which shall have been committed previous to the said *First* day of *January One thousand eight hundred and Thirty-seven*, and also save and except as to the levying, recovery and application of any sum or sums of money theretofore presented by any Grand Jury pursuant to the provisions of said recited or other Acts, or of any sum or sums of money then due or payable to the Trustees, Commissioners or Directors appointed in or by virtue of said recited or other Acts on account of such sums so presented as aforesaid, and save and except also as hereinafter further excepted and provided; and so far as relates to all and every bonds and other securities for the repayment of any sum or sums of money, or the performance of any contract or agreement, all which penalties, sums of money and bonds or other securities shall and may be levied, sued for, recovered and dealt with to all intents and purposes by the Commissioners and for the purposes of this Act, in the name of their Secretary, as if they the said Commissioners of this Act and their Secretary had been nominated in said respective Acts hereby repealed instead of the parties thereby respectively named, and by the same ways and means therein respectively mentioned, and instead of said recited Acts and all other Acts so far only as they relate to the said several Roads so mentioned and described in the said Schedule, this Act shall be put in execution for the purpose of amending and repairing, altering and improving the said several Roads, together with the several Roads hereinafter mentioned.

All Bonds and other securities recoverable by Commissioners of foregoing Acts, may be sued for by Commissioners of this Act.

2. Commissioners of Public Works to be Commissioners for this Act.

And be it further Enacted, That the Commissioners from time to time appointed for the execution of and acting under an Act made in the Imperial Parliament in the first and second years of the reign of His present Majesty King WILLIAM the Fourth, intituled, "An Act for the Extension and Promotion of Public Works in Ireland," or under any Act or Acts passed or to be passed for amending the same, shall, from and after the *First* day of *January One thousand eight hundred and Thirty-seven*, become and are hereby constituted Commissioners for the execution of this Act.

And

3. All acts done by any two of the Commissioners.

And be it further Enacted, That all acts, matters and things (save as hereinafter excepted) which the said Commissioners are by any of the provisions of this Act authorized or required to do and perform, shall and may be done and performed by any *Two* of the Commissioners.

4. Liberty to Commissioners to appoint Solicitor, Secretary, Treasurer, Engineer, Inspector, Supervisor, Collector, Superintendent, Clerk, &c. and to remove and replace them.

And be it further Enacted, That it shall and may be lawful for the said Commissioners to appoint during pleasure such Solicitor or Solicitors, Secretary, Treasurer or Treasurers, Engineers, Inspectors, Supervisors, Collectors, Superintendents, Clerks and other Officers, as they shall see fit for the purposes of this Act; and from time to time to remove such persons and officers respectively, and to appoint others in their place and stead, and as occasion may require, and as to the said Commissioners may seem proper; and to pay and allow, out of the several Tolls and Funds hereby vested in and payable to them, to each and every such Solicitor, Secretary, Treasurer, Engineer, Inspector, Supervisor, Collector, Superintendent, Clerk or other Officer, such annual or other salary, pay, remuneration or compensation as the said Commissioners, by and with the approbation and consent of the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, testified in writing under his or their hand or hands, shall from time to time think fit and allow; and the Commissioners shall also out of the said Funds and Tolls defray all such incidental charges and expenses as shall become necessary in the execution of the several powers and trusts by this Act or by any Act hereafter to be passed for the like purpose reposed in them; and in case the said Commissioners shall employ their Secretary, Engineers or any of their Clerks or other Officers, or other persons appointed by them pursuant to said last mentioned Act of first and second WILLIAM the Fourth, or any other Act or Acts in and about the execution of this Act, that it shall and may be lawful for said Commissioners out of such Tolls and Funds to pay such annual or other salary or compensation to such Secretary, Officer, Engineer or Clerk or other person, in addition to the salary or other payment now payable to him or them, as the said Commissioners shall, by and with the like consent and approbation as last aforesaid, from time to time think fit, taking into consideration the additional labours and duties imposed by this Act upon such Secretary, Engineer, Clerk or other Officer or person.

5. Governors of Bank of Ireland to open accounts with Commissioners.

And be it further Enacted, That the Governors and Directors of the Bank of Ireland shall and they are hereby required to open in their books a general and such and so many particular and distinct Accounts with the said Commissioners, under the title of "The Metropolitan Roads Account of the Commissioners of the Board of Works in Ireland," as the said Commissioners shall from time to time require to be kept for the purposes of this Act, and to receive such lodgments and make

such payments to the credit and debit of such accounts respectively, and to give and deliver such receipts and vouchers as the said Commissioners shall from time to time direct.

6. Commissioners empowered to make rules, &c. for execution of this Act.

And be it further Enacted, That it shall and may be lawful for the said Commissioners, and they are hereby empowered from time to time to make all such rules and regulations and bye-laws not being inconsistent with the laws in force in Ireland, or with the provisions of this Act as the said Commissioners shall judge most convenient for the more effectual execution of this Act, and for the better collection and management and disposal of the several Tolls and Funds hereby vested in and made payable to or placed at their disposal; and all such rules, orders and bye-laws being approved of by the Lord Lieutenant or other Chief Governor or Governors of Ireland by writing under his or their hand or hands, shall be good, valid and effectual, and shall be sufficient in all Courts to justify all persons who shall act pursuant to the same; and it shall be lawful for the Commissioners of this Act by and with the consent and approbation of the Lord Lieutenant or other Chief Governor from time to time to annul or alter such rules, orders and bye-laws, or to make others in lieu thereof, or in addition thereto, which being confirmed as aforesaid, shall be good and valid and effectual to all intents and purposes whatsoever.

7. No Officer to be entitled to Pension or Superannuation.

And be it further Enacted, That no person acting, appointed or to be appointed under this Act, shall be entitled by reason of any service under this Act to claim or receive any superannuation, pension or allowance in the nature thereof; anything in any Act or Acts heretofore made, or any law or usage to the contrary notwithstanding.

8. Commissioners to make a Report to Lord Lieutenant yearly.

And be it further Enacted, That the said Commissioners shall as soon as conveniently may be, after the *First* day of *January One thousand eight hundred and Thirty-eight*, and after the *First* day of *January* in every succeeding year, make a report to the Lord Lieutenant or other chief Governor or Governors of Ireland for the time being, of their proceedings under this Act for the year then next preceding, ending on the *Thirty-first* day of *December*, and shall also return with said report an account of all their receipts and disbursements during the like period, and the particulars and amount of the funds and property, and state and conditfon of the several Roads vested in them under the provisions of this Act; and such report and account shall be laid before both Houses of Parliament, and a copy thereof shall be deposited with the Clerk of the Peace of any and every county in Ireland wherein any part of any such Road shall be situate; and the said Commissioners shall also, at all times when and as thereunto required by the Lord Lieutenant or other chief Governor or Governors for the time being, deliver to him or them a report of their

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their proceedings under this Act for and during such period as they may be required: Provided always, That all such copies of said reports and accounts shall remain in the custody of the said Clerk of the Peace; and every person shall, at all seasonable times, have access to the same, and shall be entitled to examine and make extracts from or copies of the same, paying to the Clerk for such copy or extract from the same after the rate of *Sixpence* for every *Seventy-two* Words of such copies or extracts.

9. Roads from Dublin to Wicklow and from Dublin to Kingstown, and Road leading from Bridge to Blackrock and thence to Bray, and from Blackrock to Kingstown, and also Road from Bridge to Cabbinteely to be under control of the Commissioners of this Act.

AND whereas the Roads leading from Dublin into the county of Wicklow and from Dublin to Kingstown have been kept in repair by presentment made by the Grand Jury of the county and county of the city of Dublin respectively: AND whereas it is expedient that the said Roads should also be placed under the control and management of the said Commissioners; BE it therefore Enacted, That the Road leading from the Canal Bridge called Bridge, at the end of Upper Baggot Street, to Blackrock, and from thence to the Bridge of Bray, in the county of Dublin, and also the Road leading from Blackrock to the town of Kingstown and Dalkey, and also the Road leading from the Canal Bridge called Bridge, at the end of Leeson Street, to the village of Cabbinteely, also the Road leading from Dublin to Power's Court by Milltown and Dundrum, in the county of Dublin, shall from and after the *passing of this Act* be respectively kept in repair and be under the control and management of the said Commissioners, and subject to the several provisons of this Act.

10. Officers and other persons employed by former Trustees to account, &c. to Commissioners under this Act in the same manner as if they had been employed by them.

Provided also, and be it further Enacted, That all officers and other persons who shall have been appointed or employed, or who shall have received any Tolls or other money under or by virtue or in pursuance of the several Acts hereby repealed, or any or either of them, or who shall have in their custody or possession any money, or any books, accounts, papers, writings or things relating to the execution of the said Acts, or any or either of them, or to the Roads mentioned and described in the said Schedule hereto annexed, or any or either of them, or in respect of any Road or Roads placed under the care and management of the said Commissioners by virtue of this Act, shall, so soon as they shall be required so to do, account for, and shall on the said *First* day of *January One thousand eight hundred and Thirty-seven*, or so soon after as they shall be required to do so, account for, pay and deliver over the same to the Commissioners acting under this Act, in the same manner as they would have done, and shall be subject to the like provisions and penalties for enforcing such account, payment and delivery over as they would have been subject to if they had been appointed by the said Commissioners.

11. Leases of Tolls and Contracts under former Acts in respect of Roads in county of Dublin to cease and determine.

And be it further Enacted, That all Leases of Tolls, and all Contracts and Agreements for the letting of Tolls, which shall have been entered into by the respective Trustees acting in the execution of the said several Acts hereby repealed, and which Leases, Contracts and Agreements shall not have expired or been otherwise determined on or before the said *First* day of *January One thousand eight hundred and Thirty-seven*, shall from and after the said *First* day of *January One thousand eight hundred and Thirty-seven* wholly cease and determine, as if the same had expired by effluxion of time: Provided, That from and after the said *First* day of *January One thousand eight hundred and Thirty-seven*, the said Commissioners shall have the same powers and remedies for recovering any rents accrued due and in arrear on or previous to that day, and for recovering any penalties or damages for the non-payment of such rents or non-performance of any covenant, contract and agreement then remaining unperformed, and shall also have the same benefit of all securities given or entered into for the due payment of such rents and performance of such covenants, contracts and agreements respectively as the respective Trustees by whom such Leases were made, or with whom such contracts and agreements were entered into, or to whom or for whose benefit such securities were given, could respectively have had in case this Act had not been passed, or as if the said Commissioners under this Act had been named in and been parties to such Leases, Contracts or Agreements instead of the Trustees named in and parties thereto, and as if the said securities had been given to or for the benefit of the said Commissioners; and provided further, That any rents and sums of money which would have become due and payable at any day after the said *First* day of *January One thousand eight hundred and Thirty-seven*, under any such lease, contract, agreement or security, and which if this Act had not been passed would have been due and payable to the Trustees acting in the execution of the said Acts hereby repealed, or any of them, or to any person or persons on behalf of the said Trustees, or any of them, in respect of any demise of Tolls, or contract or agreement in respect thereof, shall be apportioned, and a proportional part thereof for so much of the term of any lease or contract or agreement in respect of such Tolls as shall have been completed on such *First* day of *January One thousand eight hundred and Thirty-seven*, shall become due and payable to the said Commissioners under this Act; and the said Trustees, and all other Trustees acting in execution of the said Acts hereby repealed, or any of them, shall cease to be bound by and shall be discharged from all liability under or in respect of such contracts and agreements except in respect of any acts or defaults previous to the said *First* day of *January One thousand eight hundred and Thirty-seven*.

And

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12. Commissioners may recompense any person who shall sustain any loss by the determination of such Leases or Contracts.

Provided always, and be it Enacted, That if any person or persons shall suffer any loss or injury by the determination of any such lease, contract or agreement as aforesaid, in respect of any part or parts of such Roads which shall be situate in the county of Dublin, under the provisions of this Act, it shall and may be lawful for the said Commissioners, out of the funds which shall arise to them by virtue of this Act, to make such satisfaction and recompense for such loss or injury to any such person or persons as shall be agreed upon between such person or persons, and the said Commissioners, or any person or persons duly authorized to treat with the said Commissioners on his or their behalf; and in any case where such person or persons and the said Commissioners cannot agree thereon, then such satisfaction and recompense shall be settled and ascertained by the verdict of a Jury in manner hereinafter mentioned, in respect of other cases of compensation under this Act, and subject in all respects to the like provisions.

13. Right and property of Roads, &c. vested in the Commissioners.

And be it further Enacted, That the several Roads mentioned and described in the said Schedule hereto annexed, and all turnpikes, toll-houses, furniture belonging to toll-houses, gates, weighing-machines, carts, watch-boxes, lamps, lamp-posts, and other erections and buildings on the said Roads which have been erected under the trusts of the said Acts hereby repealed, or of any of them, or of any former Acts for the making or maintaining of the said Roads respectively, and all the estate, right, title and interest of the several Trustees respectively acting in execution of the said several Acts hereby repealed, of and in all lands, houses, quarries and gravel-pits, or other hereditaments whatsoever, purchased for widening, improving, altering or repairing the said Roads, or any of them, shall from and after the said *First* day of *January One thousand eight hundred and Thirty-seven*, be and remain vested in the Commissioners for the time being acting in execution of this Act; and all materials, tools, barrows and other things which on the said *First* day of *January One thousand eight hundred and Thirty-seven*, shall belong to the Trustees respectively acting in execution of the said Acts hereby repealed, and shall have been provided for the use of the said Roads, or any of them, shall from thenceforth belong to and be the property of the said Commissioners; and in any action, suit or other proceeding brought or instituted by or on behalf of the said Commissioners, for or in respect of or in anywise relating to the said Roads, materials or other estate or effects, or any other property, whether real or personal, which shall hereafter belong to the said Commissioners, or in any bill of indictment preferred by or by the direction of the said Commissioners against any person or persons who shall dig up, break or pull down, steal, take or carry away, spoil, injure or destroy any of the said roads, lands, materials or other estate or effects, or other property as aforesaid, it shall be sufficient to state generally such Road or Roads, land, materials or other estate, effects or

property to be the property of the person or persons in whose name or names any such action, suit or other proceeding, shall for the time being be brought or instituted, or of the principal clerk for the time being of the said Commissioners.

14. Commissioners empowered to take possession of the Roads, &c.

And be it further Enacted, That on the said *First* day of *January One thousand eight hundred and Thirty-seven*, or as soon thereafter as conveniently may be, the said Commissioners appointed by this Act shall by themselves or their officers, or such person or persons as they shall appoint for that purpose, take possession of all the said Roads mentioned and described in the said Schedule hereto annexed, and of all lands and other property hereby vested in the said Commissioners; and the said several Trustees respectively acting under the authority of the said recited Acts, shall on the said *First* day of *January One thousand eight hundred and Thirty-seven*, or as soon thereafter as they shall be required so to do by an order of the said Commissioners, surrender and give up to the said Commissioners or their Officers, or the person or persons who may be appointed by the said Commissioners for that purpose, the said Roads so mentioned and described, for which they shall respectively be Trustees, together with all lands and other property hereby vested in the said Commissioners which shall be then in the possession of the said Trustees respectively, and the title-deeds of such lands and other property, and all leases and counterparts of leases thereof, and all other instruments, books, papers, accounts, vouchers, writings, and all other matters and things in the possession of such Trustees respectively, or of their respective clerks, treasurers, surveyors, collectors or other officers, relating to the said Roads respectively; and the said Trustees respectively shall also deliver accounts to the said Commissioners of all balances in their hands, or in the hands of any bankers for the use of the said Roads, and pay over or transfer such balances to or to the credit of the said Commissioners; and every Trustee, clerk, treasurer, surveyor, collector or other officer to any Trustees who shall refuse or neglect to surrender or give up to the said Commissioners, any Road, land or other property, or to deliver an account of and pay over or transfer any balance, pursuant to the directions herein contained, for the space of *One* Month after he shall have been required so to do by order of the said Commissioners, shall for every such neglect or refusal forfeit and pay a sum not exceeding *Ten* Pounds per centum, nor less than *Five* Pounds per centum, on the amount of such balance, at the discretion of any Justice or Justices of the Peace before whom complaint of such offence shall be made; and the payment of such sum shall be without prejudice to the right of the said Commissioners by any action, suit or other proceeding to enforce the surrender or delivery up of such Road, land or other property, or the production of such account, or the payment or transfer of such balance, as the case may be.

And

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15. Commissioners to repair the Roads.

And be it further Enacted, That from and after the said *First* day of *January One thousand eight hundred and Thirty-seven*, the said several Roads mentioned and described in the said Schedule hereto annexed, shall be maintained, amended and repaired, and they or any of them or any parts thereof respectively may be widened, altered or improved by the said Commissioners.

16. Roads now maintained under powers of the repealed Acts to be considered as comprised in this Act, notwithstanding error or omission in the Schedule.

Provided always, and be it further Enacted, That every Road and part of a Road which is now maintained and repaired under the powers and provisions of the said several Acts hereby repealed, or any or either of them, shall be and the same is hereby declared to be comprised within and subject to the powers and provisions of this Act, notwithstanding such Road or part of a Road may be omitted or improperly described in the said Schedule hereto annexed; and every such Road shall to all intents and purposes be deemed and considered to be comprised in that part of the said Schedule hereto annexed, in which the other Roads now maintained and repaired under the same Act or Acts are comprised and described.

17. Power to Commissioners to erect and repair Bridges.

And be it further Enacted, That it shall be lawful for the said Commissioners, out of the monies to be received by virtue of this Act, to erect any Bridges, Culverts or Arches upon the said Roads, or over any ditches, drains or watercourses in or upon or by the side of the said Roads, where necessary, and from time to time to repair, and if occasion shall require to rebuild all other Bridges, Culverts or Arches now erected or hereafter to be erected on the said Roads or over any rivers, streams, ditches, drains or watercourses in, upon, across or by the side of the same.

18. Bridges or the Roads not to have a greater ascent than One Foot in Twenty.

And be it further Enacted, That no Bridge to be made, erected or built from or after the *commencement of this Act*, on or over the said Roads or either of them, by any public Company or Companies, or person or persons, or by the said Commissioners, shall have a greater ascent thereto on either side than *One* Foot in *Twenty* Feet more than the general line or surface of the Road.

19. For lighting the Roads.

AND whereas it is desirable that power should be given to the said Commissioners (if it shall appear to them that the funds raised by virtue of this Act shall be sufficient for such purpose, after providing for the other purposes to which they are by this Act directed to be applied,) to light, watch and water, in manner hereinafter mentioned, such and such parts of the said Roads mentioned and described in the said Schedule hereto annexed, as shall be situate within statute miles of the said City of Dublin; BE it therefore Enacted, That it shall be lawful for the said Commissioners, from and after the said

First day of *January One thousand eight hundred and Thirty-seven*, to cause the said Roads and parts of Roads which shall lie and be situate within Statute Miles of the said city of Dublin, or such portions thereof respectively as are not lighted under any Act or Acts now in force, if it shall seem to them expedient, to be lighted in every Winter season, commencing from such day, not being earlier than the *Twenty-ninth* day of *September*, and ending on such day, not being later than the *Twenty-fifth* day of *April*, as the said Commissioners shall think proper; and for the purpose of lighting the said Roads and parts of Roads, the said Commissioners may cause to be kept in repair all Glass Lamps now erected upon the said Roads and parts of Roads which have been erected under any of the said Acts hereby repealed, or any former Acts for the making or maintaining of the said Roads or parts of Roads respectively, and may cause to be erected and kept in repair such other Lamps on the said Roads and parts of Roads as the said Commissioners shall think proper, and may light the same with Gas or otherwise, as the said Commissioners may think proper, and may prepare and provide such conductors or other articles or things as may be requisite for the same purpose, and may affix or set up such lamps, conductors or other articles or things as aforesaid, or any of them, on or against the outsides of any of the walls of any of the houses, buildings or tenements, or on or against any other walls, or any palings, railings or other fences upon or by the sides of or near to the said Roads or parts of Roads, or in any other manner the said Commissioners may think proper, and may prepare, provide and lay down any pipes or other matters or things which may be requisite for the purpose of lighting such lamps with Gas as aforesaid; the said Commissioners making such satisfaction and recompense for any damage or injury to be thereby occasioned to any property (excepting any waste land or common for any such damage or injury to which no recompense or satisfaction shall be made) to any person owing or being interested in such property, as shall be agreed on between such person and the said Commissioners, or the person or persons authorized by the said Commissioners to treat on their behalf; and in any case where they cannot agree thereon, then such satisfaction and recompense shall be settled and ascertained by the order or adjudication of *Two* Justices of the Peace at a Special Sessions to be holden in the county wherein such property shall be, and for the erecting and repairing and lighting of the said lamps, and for the repairing and providing and laying down of such conductors, pipes and other articles and things, it shall be lawful for the said Commissioners to enter into such contracts as they shall think proper.

20. Commissioners may appoint Watchmen on the Roads.

And be it Enacted, That it shall be lawful for the said Commissioners appointed and to be appointed by and under this Act, from and after the said *First* day of *January One thousand eight hundred and Thirty-seven*,

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to appoint, if it to them shall seem expedient, a competent number of fit and able-bodied men, as Watchmen and Supervisors of the Watch, to watch and guard the said Roads and parts of Roads lastly hereinbefore specified, or such portions thereof respectively as are not watched and guarded under and by virtue of some Act now in force or under some other law or usage, and to make such allowances to the said Watchmen and Supervisors of the Watch for their attendance, and to give such orders and directions concerning the same, and the manner in which the said Watchmen shall be armed and stationed upon the said Roads and parts of Roads, and for the due and regular performance of the said respective services, as they the said Commissioners shall judge reasonable or expedient, and from time to time to remove any of the said Watchmen or Supervisors of the Watch, and appoint others in their stead.

herein described.

21. Power and duty of the Watchmen.

And be it further Enacted, That the said Watchmen and Supervisors of the Watch shall, during the time they shall be stationed on the said Roads, and at all times coming to and going from their duty, use their best endeavours to assist all and every person or persons passing along the said Roads, or the footpath adjoining, who shall be anywise assaulted, attacked or ill-treated, and to prevent all mischiefs by fire, and all murders, burglaries or robberies, and all other outrages, disorders and misdemeanors, as well on the said Roads and footpaths adjoining, as in all houses and other buildings or grounds by the sides of or near the said Roads; and for that purpose it shall be lawful for the said Watchmen and Supervisors, or any of them, to apprehend and secure all night-walkers, malefactors, rogues, vagabonds and other disorderly persons who shall be found loitering, wandering, misbehaving themselves or committing any disorder or offence on the said Roads, or refusing to give a good account of themselves, or whom the said Watchmen or Supervisors shall have reason to suspect of any evil intentions or designs, and to search every such person; or the loading of any horse, ass, mule, cart or other carriage, which they shall suspect to have any stolen goods thereon or therein, and shall and may confine and secure every such person and such horse, ass, mule, cart or other carriage, until such person can be conveniently conveyed before a Justice of the Peace to be examined and dealt with according to law; and all persons are hereby authorized and required to aid and assist any such Watchman or Supervisor in securing any such offender or person as aforesaid; and in case any such Watchman or Supervisor shall neglect to keep watch in manner or during the time which shall be so appointed by the said Commissioners, or shall depart from or leave his station except for the purpose aforesaid, or shall otherwise neglect his duty, or wilfully misbehave himself, or shall at any other time than when he shall be on actual duty wear or make use of, or at any time lend or suffer to be worn or made use of (except to or by the person who shall watch in his stead) the clothes, arms or accoutrements entrusted

to him as such Watchman or Supervisor, he shall for every such offence forfeit and pay a sum not exceeding *One* Pound; and if any such Watchman or Supervisor shall unnecessarily hurt, damage, spoil or destroy, or negligently lose any of his clothes, arms or accoutrements, he shall pay to the Treasurer to the said Commissioners all such costs and charges as shall be occasioned thereby.

22. Watchmen vested with the powers of Constables.

And be it further Enacted, That all Watchmen and Supervisors of the Watch to be appointed as aforesaid, shall be sworn in as Constables before any Justice or Justices of the Peace for the said county of Dublin, and they shall act as such while in the execution of the powers and authorities of this Act; and they are hereby invested with and shall have and enjoy like powers and authorities, privileges and immunities as any Constable is invested with or has and enjoys by law.

23. Commissioners may reward Watchmen.

And be it further Enacted, That it shall be lawful for the said Commissioners to give such rewards in money to any Watchmen or Supervisors of the Watch who may be appointed as aforesaid, and who may distinguish themselves by their vigilance or courage in the apprehension of offenders or otherwise in the discharge of their duty, or who may be disabled or wounded in the execution of their office as they the said Commissioners shall think reasonable.

24. Penalty on Publicans harbouring Watchmen.

And be it further Enacted, That if any Victualler, Publican or other person selling or dealing in spirituous or other liquors shall entertain or harbour in his or her house or habitation or shop any Watchman or Supervisor to be appointed under this Act during any of the hours or times appointed for such Watchman or Supervisor to be on duty, then every such Victualler, Publican or other person shall forfeit and pay a penalty not exceeding *Five* Pounds.

25. Power to water the Roads

And be it further Enacted, That it shall be lawful for the said Commissioners to cause the whole or such parts as they shall in their discretion think proper of the several Roads mentioned and described in the said Schedule hereto annexed, to be watered at such times and during such seasons of the year as they shall think proper; and for that purpose it shall be lawful for the Surveyor of the said Roads by order of the said Commissioners and such other person or persons as shall be employed by the said Commissioners or the said Surveyor for that purpose, to carry away any water from and out of any common pond, river, brook, stream or spring in any common or waste ground lying near or adjoining to any of the said Roads, and to make any way, path or passage to and from the same, and to dig and bore and search for any spring or springs of water in or upon any common or waste ground, and to erect any engine, pump or machine in such pond, river, brook, stream or spring, without paying any thing for the same, the said Surveyor or other

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other person or persons as aforesaid, levelling the ground, or railing or fencing off such holes, ponds or places as they shall dig or make in searching for or carrying away the said water, so that the same may not be dangerous to passengers or cattle; and if such a quantity of water as shall be needful for the purpose aforesaid, cannot be had or found in or upon such waste grounds, commons, common ponds, rivers, brooks, streams or springs, within a convenient distance of the said Roads, then and in such case the said Commissioners or the said Surveyor or other person or persons as aforesaid, by order of the said Commissioners may and are hereby empowered to take and carry away any water for the purpose aforesaid out of any pond, river, brook, stream or spring lying near or adjoining to any of the said Roads (not being a pond, river, brook, stream or spring which now is or hereafter may be in any yard, garden, park, paddock, planted walk or avenue to any house or any enclosed ground planted or set apart as a nursery for trees), and to make any way, path or passage, or to dig, bore and search for the same, and when found to take and carry away the same in, upon or out of, from and over the lands of any person or persons lying near and contiguous to the said Roads (not being a yard, garden, park, paddock, planted walk or avenue to any house or any enclosed ground planted or set apart for a nursery for trees), and to erect, put or place any engine, pump or machine in such pond, river, brook, stream or spring (except as aforesaid), paying or tendering payment for the damage done to such private lands by the same, and also for the damage done to any private lands over or through which any water for the purposes aforesaid, taken from any waste ground, common, common pond, river, brook, stream or spring, or from any other pond, river, brook, stream or spring, shall be conveyed, such sum as in case of any dispute or difference any *Two* Justices of the Peace for the said county of Dublin shall judge reasonable.

26. Exceptions to taking water.

Provided always, and be it further Enacted, That nothing herein contained shall authorize or empower the said Commissioners or their Surveyor of the said Roads, or any other person employed by them to make use of the water in any river, stream, pond, reservoir or head of water now made, or which shall or may hereafter be made for the service of the city of Dublin, or the suburbs thereof, or to dig or bore for water, or make any well or watering-place nearer than or within the distance of *Twenty* Feet from any such river, stream, pond, reservoir or head of water; and that nothing in this Act contained shall give power to the said Commissioners or their Surveyor of the said Roads, or any person or persons employed by them, to stop, divert or dispose of any water or watercourse, either in any public or private ground, that shall contribute towards filling or supplying any public or private pond, basin, canal or reservoir of water until every such pond, basin, canal and reservoir shall be sufficiently supplied and filled, and the water run waste.

27. Commissioners may agree with Parishes, &c. concerning the erection of additional Lamps, &c.

Provided also, and be it further Enacted, That in case the parishioners or inhabitants of any parish, town or place in which any or any portions of the said Roads or parts of Roads hereby authorized to be lighted and watered are situate, or any other person or persons shall be desirous for the better lighting and watering of such part of such particular parish, town or place as lies on the sides of the said Roads or parts of Roads, to have a greater number of lamps erected than the said Commissioners shall think necessary for the general purpose of lighting the said Roads or parts of Roads, or shall be desirous of having such Roads or parts of Roads watered sooner, or the watering thereof continued longer than the said Commissioners would otherwise think proper, it shall be lawful for the said Commissioners, at the request of such parishioners, inhabitants or other persons as aforesaid, from time to time to contract and agree with them for the lighting or watering such part of such parish, town or place accordingly for an adequate consideration or sum of money.

28. Distinct accounts to be kept of Roads.

And be it further Enacted, That the said Commissioners shall cause a distinct account to be kept of all sums accruing to them under this Act by virtue of the rate or assessment which they are hereinafter authorized to make upon houses and lands situate within the county of Dublin, and county of the city of Dublin, and from such Tolls as they may be authorized to take upon the said Roads within the said counties of Dublin and of the city of Dublin, or from presentment of the Grand Juries of the said counties, and a like distinct account of all sums accruing to them from or in respect of such Tolls as they may be authorized to take upon the said Roads beyond the limits of the said counties in any other county, or from Grand Jury Presentment in aid of such Tolls or otherwise; and the income of the said Commissioners from the said several sources shall be kept separate and distinct, and shall be separately applied; that is to say, the produce of the said rate or assessment and of the said Tolls authorized to be taken within the said county of Dublin and county of the city of Dublin, and any money presented by the Grand Juries of either of such counties, shall be applied exclusively in and to the maintenance, repair and improvement of such parts of the said Roads as lie within the limits of those counties, and in lighting and watching and watering the same; and the produce of the Tolls taken on the said Roads beyond the limits of the said counties, and any money raised by Grand Jury Presentment in aid of such Tolls or otherwise, shall be applied to maintain, repair and improve the parts of such Roads situate beyond the limits of the said county of Dublin and county of the city of Dublin in any other county or counties: Provided, That it shall be lawful for the said Commissioners to apportion between the said counties of Dublin and of the city of Dublin, and any other county or counties through which any such Road may pass, all such expenses as they may incur in salaries to Officers or in the compensations hereinafter mentioned, and other expenses generally incurred

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on account of all the Roads mentioned and described in the said Schedule; it being the intent and meaning of this Act, that the income and expenditure in reference to the said Roads, or so much thereof as may be situate within the said county of Dublin and county of the city of Dublin, and the income and expenditure of the said Roads or so much thereof as may be situate beyond the said county of Dublin, shall be entirely distinct; and the said Commissioners, in exercising the powers which are hereinafter given them of reducing or advancing the rate or assessment on houses and lands, and of reducing or advancing the Tolls on such parts of the said Roads as shall extend beyond the said county of Dublin or county of the city of Dublin, shall so far as regards the same be guided by the amount of the income as compared with that of the expenditure on or in respect of such parts of such Roads respectively.

29. Books kept of any proceedings by Trustees, &c. to be evidence in any Court.

And be it further Enacted, That all and every book or books in which any entry of any proceedings to or in anywise appertaining to the Roads directed to be amended or repaired by virtue of this Act, of any of the Trustees, Commissioners, Directors or other persons acting by and under the authority of the said recited Acts or any of them, such entry having been made in such book or books, according to the direction of and having been made evidence by the said recited Acts or any of them, shall be and be deemed to be good and sufficient evidence of such proceedings in any Court whatsoever, anything herein contained to the contrary thereof notwithstanding.

30. Books to be kept of all receipts, disbursements, &c., and to be admitted in all Courts.

And be it further Enacted, That said Commissioners shall from time to time and at all times order and direct a book or books to be provided and kept for the time being, in which book or books a llacts, orders and proceedings of the said Commissioners shall be regularly entered; and all entries in such book or books are hereby required to be signed by one of the Commissioners and their Secretary or Clerk then present or either of them, and the said book or books, and also the book or books hereinafter directed to be kept for the entry of the receipt or disbursements of money, or for registering securities and assignments or transcripts thereof, shall be admitted in evidence in all Courts and by all Judges, Justices and others.

31. Commissioners to order a book to be kept of receipts and disbursements.

And be it further Enacted, That the said Commissioners shall from time to time and at all times order and direct a book or books to be provided and kept, in which book or books shall be entered true and regular accounts of all sums of money received, paid, laid out and expended for or on account of the said respective Roads directed to be repaired and amended by virtue of this Act, and of the several articles, matters and things for which such sums of money shall have been disbursed, laid out and paid.

32. If any Collector of the Tolls shall refuse to deliver up possession of Toll House.

And be it further Enacted, That if any Collector of the Tolls shall refuse, on or after the said *First* day of *January One thousand eight hundred and Thirty-seven*, to deliver up the possession of the Toll-houses, buildings and appurtenances or other premises which he enjoyed in right of his appointment to that office within *Two* Days after notice given to him or left at such Toll-house, in writing under the hands of the said Commissioners or any *Two* of them, or if the wife or family of any Collector who shall have died, or any other person who shall be in possession of the premises by means of any means whatever, shall refuse to deliver up such house, building and appurtenances or premises within *Two* Days after such notice shall be given or left as aforesaid, then and in any or either of such cases it shall and may be lawful for any Justice of the Peace for the county, city or place where such Toll-house shall stand, or by warrant under his hand and seal, to order the Sheriff of such county or city or place, or any Police or other Constable or Peace Officer, with such assistance as shall be necessary, to enter such Toll-house or premises in the day-time, and to remove the persons who shall be found therein, together with their goods and chattels, out of such Toll-house and other premises, and to put and keep the said Commissioners or persons appointed or nominated by them for such purpose into the possession thereof.

33. Commissioners to take security from Treasurer, Surveyor, Superintendents, Collectors, Clerks and other officers.

And be it further Enacted, That it shall and may be lawful for the said Commissioners to take such security from their Treasurers, Surveyors, Superintendents, Collectors, Clerks and other Officers, for the due execution of their respective offices, and accounting for the money received by them respectively, and also from their respective Lessees, as to the said Commissioners shall seem fit.

34. Collectors, Officers, &c. to deliver true and perfect accounts to Commissioners.

And be it further Enacted, That every Collector, Officer and person who shall be appointed as aforesaid, and all and every Treasurer, Clerk, Officer or other person appointed, or who shall have acted under or by virtue of the said recited or any other Acts, or any of them, shall from time to time, when thereunto required by the said Commissioners of this Act by writing under their hands, make out and deliver to such Commissioners, or to such person or persons as they shall for that purpose appoint, true and perfect accounts in writing of all matters and things respectively committed to their charge or done by them by virtue of this Act or of said recited or any other Acts, and also of all monies which shall have been by them or any of them had, collected and received by virtue of this Act or the said recited or any other Acts or any of them, how much, and to whom, and for what purpose the same and every part thereof hath been expended and disbursed, together with the vouchers and receipts for such payments; and all such Treasurers, Clerks, Officers or persons shall and they are hereby required to pay all such Monies as upon the balance

Clerks Officers, &c. to pay all monies, &c. as

balance of such accounts shall appear to be owing from them or any of them to the said Commissioners, or to such person or persons as they shall appoint to receive the same; and all the said Treasurers, Clerks, Collectors, Officers or persons so accounting as aforesaid, shall verify their said accounts; and if they or any of them shall refuse or neglect to tender and deliver up or to verify such accounts as aforesaid, or to produce and deliver up the vouchers and receipts relating to the same, or to pay the balance thereof when thereunto required in manner aforesaid, or shall refuse or wilfully neglect to deliver up to the said Commissioners or to such person or persons as they shall appoint to receive the same, within *Fourteen* Days' notice after being thereunto required by the said Commissioners by notice in writing given to or left at the last or usual place of abode of such Treasurer, Clerk, Collector, Officer or person, all books, papers or writings in his custody or power relating to the execution of this Act or said recited or other Acts, or any of them, or give satisfaction to the said Commissioners respecting the same, then and in every such case, upon complaint being made by the said Commissioners, or by such person or persons as they shall appoint for that purpose, of any such refusal or wilful neglect as aforesaid, to any *Two* Justices of the Peace for the county, city or place wherein such Treasurer, Clerk, Collector, Officer or person so refusing or wilfully neglecting shall be and reside such Justices may and they are hereby authorized and required to issue a Summons under their hands and seals for the Treasurer, Clerk, Collector, Officer or person so refusing or wilfully neglecting to appear before them; and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the matter of such complaint in a summary way; and if upon the confession of the party against whom such complaint shall be made, or by the testimony of any credible witness or witnesses (which oath such Justices are hereby empowered to administer), it shall appear to such Justices that any of the monies that shall have been collected or raised by virtue of this Act, or of said recited or other Acts or any of them, shall be in the hands of or remain due from such Treasurer, Clerk, Collector, Officer or person, such Justices may and they are hereby authorized and required, upon non-payment thereof, by warrant under their hands and seals to cause such money to be levied by distress and sale of the goods and chattels of such Treasurer, Clerk, Collector, Officer or other person respectively which can be found sufficient to answer and satisfy the said money and the charges of distraining and selling the said goods and chattels, or if such Treasurer, Clerk, Collector, Officer or person shall not appear before the said Justices at the time and place appointed for that purpose, without some reasonable excuse, or if appearing shall refuse or neglect to make out and deliver to the said Justices such account in writing as aforesaid, such Justices may and they are hereby authorized and required by warrant under their hands and

shall appear due as balance.

If Clerk, &c. shall refuse or neglect to render such accounts, &c.

Complaint made to any Two Justices, &c.

Justices authorized to give a summary decision against such defaulters.

If it shall appear any of the monies are in possession of such Collector, &c. such Justices to cause to be levied such sum off their goods, &c.

If such Treasurer, &c. shall not appear, or appearing to refuse to account, such Justices authorized to commit such Treasurer, &c. to Gaol.

and seals to commit such Treasurer, Clerk, Officer or person to the common Gaol or House of Correction of the county, city, town or place where he or she shall be or reside, there to remain without bail or mainprize until he or she shall have delivered up the vouchers and receipts relating to the aforesaid accounts, and shall have paid all the money which shall happen to be in the hands of or owing from him, and the reasonable charges of such distress and sale (if any) as shall in that respect have been made, or until he shall have compounded with the Commissioners for such money and charges, and shall have paid the composition money to the said Commissioners, or to such person or persons as they shall appoint to receive the same; and which composition the said Commissioners are hereby empowered to make and receive, and until he shall deliver up such books, papers and writings, or give satisfaction in respect thereof to the said Commissioners: Provided always, That no such person who shall be committed for want of sufficient distress shall, by virtue of this Act be detained in prison for a longer space of time than *Six* Months, but such commitment to prison shall not be deemed a discharge for any money due from such Treasurer, Clerk, Collector, Officer or person, nor exonerate his or her securities.

But not to exceed Six Months.

35. Commissioners and their officers given as full power as any Overseer by any law.

And be it further Enacted, That the said Commissioners and their Engineers, Surveyors and Superintendents of the several Roads hereby placed under their management, shall have and they are hereby invested with the like powers and authorities in respect to such Roads respectively as any County Surveyor or Contractor for making or keeping in repair any Road may have by any Law or Statute in force or hereafter to be in force and effect in Ireland for amending or repairing Roads by Grand Jury Presentment is invested with.

36. Commissioners empowered to erect Turnpikes.

And be it further Enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby empowered to continue the several Tollgates and Turnpikes already erected on the said several Roads hereby placed under their management and control, or to remove any Tollgate or Sidebar as they shall think fit, and to sell and dispose of the materials thereof, and apply the proceeds to the purposes of this Act, or to erect or cause to be erected such and so many Tollgates and Turnpikes in and upon or across all or any of the said Roads hereby placed under the management or control of the Commissioners of this Act and such parts thereof, and from time to time to alter and remove the same as they shall think proper.

37. Commissioners empowered to purchase or take land for widening of Roads.

And be it further Enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby empowered in manner herein mentioned, for the purchasing or taking of Land for the turning, altering or widening of the said Roads, to purchase and take Lands sufficient,

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sufficient, not exceeding *One-eighth* part of a statute acre, for such Toll-house or Toll-houses, with necessary accommodation thereto; and in case they shall at any time remove, alter or discontinue such Turnpike and Toll-houses, or any of them, to dispose of such Land, and apply the proceeds to the purposes of this Act.

38.
Collectors empowered to collect Tolls.

And be it further Enacted, That it shall be lawful for the said Commissioners or any person or persons appointed under and by virtue of this Act, Collector or Collectors as aforesaid, from and after the *First* day of *January One thousand eight hundred and Thirty-seven*, to demand and take at all and every the respective Turnpikes on the said respective Roads, except as hereafter mentioned, the Tolls following, subject to the provisions and restrictions hereinafter contained, before any Carriage, Horse, Beast or Cattle shall be permitted to pass through the same; (that is to say)

For every Horse drawing any coach, berlin, &c. the sum of Sixpence.

FOR every Horse or other beast drawing any coach, berlin, landau, vis-à-vis, chariot, chaise, phaeton, cabriolet, calash, chair, caravan, hearse or litter, the sum of *Sixpence:*

For every Horse drawing any waggon, wain, dray, &c. the sum of Two-pence.

For every Horse or other beast drawing any waggon, wain, dray or other such carriage, not being a cart or car, having the streaks or shoeing of all the wheels thereof respectively of the breadth of five inches or more, or having all such streaks or shoeings, set on or fastened with nails, bolts or screws, so countersunk and flat-headed that no nail, bolt or screw therein shall project above one-fourth part of an inch beyond the surface of such streaks or shoeings respectively, the sum of *Two-pence:*

For every Horse drawing any waggon, wain, dray, with streaks of wheels of breadth of four inches and less than five, the sum of Three-pence.

For every Horse or other beast drawing any waggon, wain, dray or other such carriage, not being a cart or car, having the streaks or shoeings of all the wheels thereof respectively of the breadth of four inches and less than five inches, and having all such streaks and shoeings so set on as aforesaid, the sum of *Three-pence:*

For every Horse drawing any waggon, wain, dray, &c. having any streak of any wheel of less breadth than three inches, the sum of Four-pence.

For any Horse or other beast drawing any waggon, wain, dray or other such carriage, not being cart or car, having any streak or streaks, shoeing or shoeings of any wheel or wheels thereof respectively of a less breadth than three inches, or having any streak or streaks, shoeing or shoeings, not so set on or fastened as aforesaid, the sum of *Four-pence:*

For every Horse drawing any cart, car, &c. streaks of breadth of three inches or more, and nails not projecting more than one-fourth of an inch, Three-halfpence.

For every Horse or other beast drawing any cart or car having the streaks or shoeings of all the wheels thereof respectively of the breadth of three inches or more, and having such streaks or shoeings set on and fastened with nails, bolts or screws so countersunk and flat-headed that no nail, bolt or screw therein shall project above one-fourth of an inch beyond the surface of such streaks or shoeings respectively, the sum of *Three-halfpence.*

Every Horse, not a donkey or ass, drawing cart, &c. not set on and fastened as aforesaid, Sixpence.

For every Horse or other beast, not being a donkey or ass, drawing any cart or car, having any streaks, shoeing or shoeings of any wheel or wheels thereof respectively not so set on and fastened as aforesaid, the sum of *Sixpence:*

For every Donkey or Ass drawing car of any kind the sum of Three-halfpence, except drawn by two donkeys or asses, then chargeable as any other beast.

For every Donkey or Ass drawing any cart or car of any kind, the sum of *Three-halfpence*, except such cart or car shall be drawn by two or more donkeys or asses, in which case each donkey or ass shall be charged as any other beast:

Horse, laden or unladen, and not drawing, the sum of One Penny.

For every Horse, Mule or Ass, laden or unladen, and not drawing, the sum of *One Penny:*

For every drove Oxen Two Shillings and Sixpence per score.

For every Drove of Oxen, Cows or Neat Cattle, the sum of *Two Shillings and Sixpence* per score; and so in proportion for any greater or less number:

Droves, calves, sheep, &c. One shilling per score.

For every Drove of Calves, Sheep, Lambs or Goats, *One Shilling* per score; and so in proportion for any greater or less number:

Drove Hogs, One Shilling and Sixpence per score.

For every Drove of Hogs, the sum of *One Shilling and Sixpence* per score; and so in proportion for any greater or less number:

Four-wheeled Carriage propelled by steam or machinery, Two Shillings and Sixpence, and every carriage of less number of wheels and so propelled, One Shilling and Sixpence.

For every Carriage with four or more wheels, not drawn by any horse or beast of draught, but propelled or moved by steam, gas, machinery or any other like means, the sum of *Two Shillings and Sixpence*, and for every carriage with less than four wheels, not drawn by any horse or beast of draught, but propelled or moved by steam gas, machinery or any other like means, the sum of *One Shilling and Sixpence.*

39.
Such Carriage to pay every time of passing.

Provided always, and be it further Enacted, That the Tolls hereby made payable for or in respect of any Carriage propelled or moved by steam, machinery, gas or any other like means, shall be paid every time of passing or repassing of such carriage along the said Roads.

40.
Commissioners empowered to reduce Tolls.

And be it further Enacted, That it shall and may be lawful for the said Commissioners, and they are hereby empowered from time to time to lessen or reduce all or any of the said Tolls in such manner as to them shall seem meet, fit and convenient, and to cause such reduced Tolls to be received and taken for and during such time as they the said Commissioners shall think proper, and afterwards from time to time as they shall see occasion to advance all or any of the Tolls so lessened or reduced to any sums not exceeding the several rates granted by this Act:

Such diminution not to take place without consent of the lessees, farmers, &c. of Tolls.

Provided always, That such diminution shall not take place on any of the said Roads without the consent of the respective lessees or farmers of the Toll thereof respectively, in case the said Tolls shall be then in lease.

Provided

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41.

Additional Tolls to be taken.

Provided always, and be it further Enacted, That it shall be lawful for the said Commissioners, their Collector or Collectors as aforesaid to demand and take, or cause to be demanded or taken, the following additional Tolls at each and every Tollgate; (that is to say)

FOR every Horse drawing a car or cart, without a double rein extending back to such car or cart, the sum of *One Shilling:*

Every Horse drawing car or cart without double rein, One Shilling.

And for every Horse drawing any cart, carriage or car, with timber boards or planks laid across, so that either end thereof shall project nine inches or more beyond the wheels or sides of such cart, carriage or car, the sum of *One Shilling*.

Every Horse drawing car, &c. with timber boards, &c. projecting nine inches beyond the wheels, One Shilling.

42.

Collectors empowered to measure the shoeing of the wheels.

And be it further Enacted, That it shall and may be lawful to and for the respective Collectors of the said Tolls, in case he or they shall think proper, to measure or cause to be measured the breadth or dimensions of the respective streaks or shoeings of all or any of the wheels of each and every waggon, wain, dray, cart or other carriage, before any such waggon, wain, dray, cart or car, or other such carriage shall be permitted to pass through any Turnpike or Turnpikes erected or to be erected on the said Roads, or any of them.

43.

No Tolls to be levied within the county of Dublin except on vehicles conveying goods or passengers for hire.

Provided always, and be it further Enacted, That it shall not be lawful to collect or levy any of the Rates or Tolls aforesaid on any Road, or so much of any Road as may be situate within the County of Dublin, save and except upon and in respect of horses or beasts drawing any stage-coach, omnibus, jaunting car, diligence, van, caravan or stage-waggon, or other stage-carriage conveying passengers or goods for hire, any thing herein contained to the contrary notwithstanding.

44.

Commissioners to put up at each Toll-gate a board containing list of Tolls payable and name of gate.

And be it further Enacted, That the said Commissioners shall and they are hereby required to put up, or cause to be put up, and afterwards to be continued at any Tollgate where Toll shall be collected or demanded, within *One* calendar Month after the *First* day of *January One thousand eight hundred and Thirty-seven,* and at each and every Tollgate which shall be erected by virtue of this Act, within *One* calendar Month after such Toll-gate shall have been erected, a Table painted in distinct and legible black letters, on a board with a white ground, containing at the top thereof the name of the gate at which the same shall be put up; and also a List of all the Tolls payable at every such gate, distinguishing the several Tolls to be paid by virtue of this Act, and to renew such boards whenever any of the letters or figures thereof shall be worn out or defaced, or obliterated; and also a list of the several gates which shall be cleared by the payment of Toll at the Tollgate or Bar where such Table or Tolls shall be affixed; and in case there shall at any time or times be more than one gate, the said Commissioners shall also provide or cause to be provided tickets denoting

And to renew same when defaced. Also list of gates to be cleared by payment of Toll at such gate.

Commissioners to provide Tickets.

the payment of Toll; and on such several tickets shall be named and specified the name of the gate at which the same respectively shall be delivered, and also the names of the several gates freed by such ticket, one of which tickets shall be delivered gratis to the person paying the Toll; and on the production of such ticket at any gate or gates therein mentioned, to be cleared as aforesaid by the payment of the Toll at the gate where such ticket was delivered, the person producing the same shall pass through without paying any further additional Toll.

Tickets to be given to persons paying Toll.

45.

Commissioners not to demand Toll but during the time the board remains exposed.

And be it further Enacted, That it shall not be lawful for the said Commissioners to demand or take, or cause to be demanded or taken any Tolls for or in respect of any passenger, horse, mule, ass or other beast at any Tollgate, but for and during such time as the board so painted as aforesaid shall remain affixed at such Tollgate: Provided always, That if at any time or times and when and so often as such painted Toll-board as aforesaid shall be wilfully or maliciously removed, stolen, taken away or defaced, then and in each and every such case it shall and may be lawful for the said Commissioners to demand and take or cause to be demanded or taken such Tolls as are by this Act made payable in the same manner as though such painted Toll-board had not been so wilfully and maliciously removed, stolen, taken away or defaced as aforesaid; and the said Commissioners are hereby required within *Ten* Days from the time that such painted Toll-board shall have been so wilfully or maliciously removed, stolen, taken away or defaced as aforesaid, to replace and put up or cause to be replaced or put up at such gate or gates where such painted Toll-boards shall have been so wilfully or maliciously removed, stolen, taken away or defaced as aforesaid, such a painted Toll-board as is hereinbefore required by this Act to be put up.

If board maliciously removed, Commissioners may demand and take Tolls.

And Commissioners to replace same within Ten Days.

46.

Tolls vested in Commissioners, and all sums made payable as Tolls, to be taken as Toll.

And be it further Enacted, That the said Tolls shall be and they are hereby declared to be vested in the said Commissioners, and the said respective sums herein respectively granted or made payable shall be demanded and taken in the name and as Toll by such person or persons as the said Commissioners shall from time to time authorize and appoint to receive the same; and if any person or persons subject to the payment of any of the said Tolls shall after demand thereof made by any person or persons authorized to receive the same, neglect or refuse to make payment thereof or any part or parts thereof, it shall be lawful for the person or persons so authorized to seize and distrain any horse, cattle or beast upon which any Toll by this Act is imposed, or any carriage in which the same shall be drawing, or the loading, harness and accoutrements of any such horse or beast, (except the bridle or reins separate from such horse or beast,) or carriage or car propelled by steam or machinery, or any of the goods and chattels of the person or persons so neglecting or refusing to pay the same; and

Commissioners to appoint persons to receive same.

Horse, cattle or beast to be distrained if Toll refused to be paid; or the loading, harness and accoutrements of such beast; except bridle be separate.

if

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if such Tolls and the reasonable charges of such distress and of keeping the same shall not be paid within the space of *Four* Days next after the day of making such distress, the person or persons so distraining shall and may at any time thereafter sell by public auction (notice in writing of such intended sale having been affixed at the Tollgate where such a distress was made *Three* Days at least before such sale) the horse, cattle, beast, carriage, goods and chattels so distrained, and out of the money which shall arise by such sale pay or retain such Tolls, and all reasonable charges incurred by such distress and sale, returning the overplus of the money which shall arise by such sale, and what shall remain unsold, if any, upon demand to the owner or owners thereof.

Carriage, &c. removed by steam. And if not paid within Four Days may be sold.

Notice of sale to be given at five nearest Gates Three Days before.

Out of produce of such sale to retain Tolls and costs.

Overplus returned the owner.

47.

And be it further Enacted, That in case any dispute shall happen respecting the demanding or taking the payments of Toll or the amount of Toll, or the charges of keeping or selling any distress, then and in every such case such dispute shall be heard and determined by any Justice or Justices of the Peace for the county or the county of the city in which the cause or dispute shall arise, who upon application made to him or them for that purpose, shall examine the matter upon oath of the parties or other witness or witnesses, (which oath every Justice or Justices is or are hereby authorized and empowered to administer,) and shall determine the amount of the Toll due and other matters in dispute between the parties relative to the said Toll or distress or sale, and may also award such costs to be paid by either party to the other as to such Justice or Justices shall seem reasonable; all which costs, in case the same shall not be forthwith paid shall and may be levied and recovered by distress and sale of the goods and chattels of the person or persons directed to pay the same, by warrant under the hand and seal or hands and seals of such Justice or Justices, (which warrant every such Justice or Justices is or are hereby empowered to issue,) and the overplus, if any, after the payment of the costs of such distress and sale, shall be returned upon demand to the person or persons whose goods and chattels shall have been distrained or sold.

If any dispute arise, same to be determined by any Justice of the Peace.

Justices empowered to administer oath.

48.

And be it further Enacted, That in case any dispute or litigation shall arise touching or in anywise relating to the said Tolls, the person or persons appointed to collect the same, or any other person or persons acting under the authority of the said Commissioners, shall not be incompetent, on account of his or their being appointed to collect such Tolls, to give evidence in any such dispute, suit or litigation.

In case of litigation arising, Collector not to be an incompetent witness.

49.

Provided always, and be it further Enacted, That nothing herein contained shall extend or be construed to extend so as to enable any collector of the said Tolls to demand or take more than one Toll in any

No Collector to take more than one Toll in one day for the same horse or beast.

any one day, (such day to be computed from *Twelve* of the clock at night to *Twelve* of the clock at the next succeeding night,) for or in respect of the same horse or other beast or cattle as aforesaid, passing and repassing through the same or any other gate or turnpike cleared and freed by the payment of such Toll as aforesaid, on the production of a ticket denoting that such Toll hath been paid as aforesaid on that day for or in respect of such horse, beast or other cattle, which ticket every such collector is hereby required to deliver gratis on the payment of such Toll.

Production of ticket to exempt from payment.

50.
Stage-coach, jaunting car, van, caravan, &c. conveying passengers for hire to pay every time of passing.

Provided always, and be it further Enacted, That the Tolls hereby made payable for or in respect of horses or beasts drawing any stage-coach, jaunting car, diligence, van, caravan or stage waggon or other stage carriage conveying passengers or goods for hire, shall be payable and paid every time of passing or repassing along the said Roads, or any of them.

51.
No additional Toll on account of horses.

Provided always, and be it further Enacted, That no further or additional Tolls shall be payable for or in respect of any stage or mail coach or other public conveyance, on account only of the horses drawing the same being charged.

52.
Such Toll payable for all beasts travelling for hire and drawing any post-chaise or other carriage every time of passing.

Provided nevertheless, and be it further Enacted, That such Tolls shall be payable for or in respect of all horses or other beasts travelling for hire drawing any post-chaise or any other carriage, for every time of passing and repassing along the said Roads or any of them, of the same day, as often as a fresh hiring shall take place.

53.
If any person shall by passing through any ground within One Mile from Tollgate to evade payment of Toll;

if any person shall give to or receive from any person but Collector a ticket, or counterfeit or forge one;

or forcibly pass through such Gate;

or unyoke any horse or beast to evade payment of Toll;

And be it further Enacted, That if any person or persons shall, with any horse or beast upon which any Tolls by this Act are imposed, pass through any land or ground within the distance of *One* Mile from any tollgate or turnpike which shall be erected or continued by virtue of this Act, the same not being a public road, and such person not being the owner or occupier or servant, or any one of the family of the owner or occupier of such land or ground, or if any occupier or owner of such land or ground shall knowingly permit or suffer any person or persons, except as aforesaid, with any horse, beast or other cattle to pass through the same, whereby payment of any of the said Tolls or any part or parts thereof shall be evaded, or if any person or persons shall give to or receive from any person or persons other than a Collector of the said Tolls, any ticket by this Act directed to be given by a Collector of the said Tolls, or shall forge or counterfeit any such ticket, or shall forcibly pass through any such tollgate or turnpike as aforesaid with any horse, cattle or beast or carriage or car, or shall at any time or times take off or cause to be taken off any horse, cattle or beast from any carriage, whereby the payment of the said Tolls or any part or parts thereof shall be evaded, or if any person or

persons

persons shall leave or cause to be left, upon or near to any part of the said Road, any carriage, horse, cattle or beast, with any intent to evade the payment of any of the said Tolls, or of any part or parts thereof, or with such intent shall unload any goods from any horse, cattle, beast or carriage, every person offending in any of the cases aforesaid, and being lawfully convicted thereof shall forfeit and pay any sum not exceeding *Five* Pounds, at the discretion of the Justice or Justices before whom such offenders shall be convicted, one *moiety* thereof shall be paid to the Iuformer, and the other *moiety* thereof to the said Commissioners to be applied for the purposes of this Act.

or if any person leave on the Road any horse, carriage, car, &c. to evade such payment;

or unload any goods;

such person, if convicted, shall forfeit not exceeding Five Pounds.

One Moiety to Informer.

54.

No Toll to be taken for any carriage or horse belonging to His Majesty or any of the Royal Family, nor for cars carrying materials for repair of Roads.

And be it further Enacted, That no Tolls shall be demanded or taken for any horses or carriages belonging to His Majesty or attending any of the Royal Family, or returning after having so attended; or for any horse, ox or other beast drawing in any carriage employed in carrying or conveying stores, bricks, lime, timber, trees, wood, gravel or other materials for repairing said last-mentioned Roads, or any of them, or making or repairing any bridge thereon, or any of the Highways in the several parishes, townlands or districts through which the said Roads or any of them shall pass; or employed in carrying or conveying hay or corn in the straw, or potatoes the produce of land lying, or turf cut or dug within the respective parishes, townlands or districts aforesaid, to be laid up or consumed in the houses, out-offices, barns or yards of the owners thereof, and not for sale; or limestone or lime or other manure to be used for the improvement of lands; nor when returning unladen after the carrying or conveying any such materials; nor shall any of the Tolls hereby granted be demanded or taken for any horse, ox or other beast drawing or not drawing, and employed only in carrying or conveying any plough, harrow or other implement of husbandry; nor for any horse, beast or other cattle going to or returning from being shod or farried, to or from work in cultivating the lands and grounds within said parishes, hundreds or districts, or going to or returning from pasture or watering places; Provided, That such last-mentioned exemption shall not extend to such cattle as shall not pass on the same Road more than *Two* Miles in going to or returning from water or pasture; nor shall any of the Tolls hereby granted be demanded or taken for any horse, ox or other beast which shall only cross any such Road, and shall not pass above *One hundred* Yards; nor for any horses belonging to Officers or Soldiers upon their march or upon duty, nor for any horses, cattle or carriages employed in carrying or conveying the arms or baggage of such Officers or Soldiers, or carrying any wounded, sick or disabled Officers or Soldiers, or returning empty after having been so employed, provided such horses, cattle or carriage shall return empty within the same day; nor for any waggon, wain, cart or other carriage whatsoever, or the horse

Hay, corn in the straw, and potatoes produced contiguous to the Roads exempt from Toll;

also carrying manure;

or drawing or carrying any plough, harrow or implement of husbandry.

Such exemptions not to extend to cattle passing more than Two Miles.

All Officers, Soldiers, &c. exempt.

Carriage or car conveying Ordnance exempt.

or horses or other cattle drawing the same, which shall be employed in conveying any ordnance, barrack, commissariat or other public Stores of or belonging to His Majesty's Forces; nor for any horse furnished by or for any person or persons belonging to any Corps of Yeomanry or Volunteer Cavalry respectively, and rode by them; nor carriages conveying Volunteer Infantry in going to or returning from the place appointed for and on the days of exercise; provided that such persons be dressed in the uniform of their respective corps, and have their arms, furnitute and accoutrements according to the regulations provided for such corps respectively, at the time of claiming such exemption as aforesaid; nor for any horse or carriage used by or conveying any Constable or Policeman, or any Magistrate commanding and accompanying such Constable or Policeman, provided such horse or carriage be used by such Magistrate, Constable or Policeman while on duty; nor for any horse or carriage used by or conveying any Protestant Minister of any parish or cure, or the Presbyterian or Roman Catholic Clergyman of any district or parish, provided that such horse or carriage be used by such Minister or Clergyman going to or returning from visiting any sick parishioner, or on other his parochial duty, within the parish or district of which he is the officiating Clergyman; nor for any horse, cart or carriage employed only in carrying or conveying any vagrant or prisoner sent by legal warrants; and if any person shall claim to take the benefit of any of the exemptions aforesaid or of any other of the exemptions from the Toll herein contained, not being entitled to the same, or if any person claiming exemptions from the payment of the Tolls hereby granted, or any part thereof, shall refuse or decline to tell his or her place of residence to the Collector or Collectors at any gate or gates at which such exemption shall be claimed, or shall give a false name or place of residence, every person so offending, and being lawfully convicted thereof, shall forfeit and pay a sum not exceeding *Five* Pounds, nor less than *Twenty* Shillings, at the discretion of the Justice or Justices before whom such offender shall be convicted.

Persons belonging to Yeomanry or Volunteer Corps exempt;

Such persons to be dressed in their proper uniform.

Constable or policeman and magistrate exempt.

Protestant, Presbyterian and Roman Catholic clergymen exempt.

Cars or carriages conveying vagrants or prisoners.

Persons entitled to exemption refusing to tell their names or give a false one, shall on conviction forfeit a sum not exceeding Five Pounds.

55.

Cars carrying stones, bricks, dung, manure, hay, corn, potatoes, not exempt, unless name and surname of owner painted on shaft.

Provided always, and be it further Enacted, That no cart, car or other carriage carrying any stones, bricks, dung, manure, hay, corn, potatoes. or any other burden whatever, shall be entitled to any exemption from Tolls granted and allowed by this Act, unless the name and surname and residence of the owner of such car, cart or other carriage shall be painted on the outside of the left shaft of every such cart, car or carriage in white Roman letters, *One* Inch long at the least, on a black ground.

56.

Such carts as have not their owners' names so painted to be liable to double Toll.

And be it further Enacted, That from and after the day of *One thousand eight hundred and Thirty-seven*, every cart, car or other carriage on the outside of the left shaft of which the

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the name and surname and place of abode of the owner thereof shall not have been so painted as aforesaid, shall not be publicly visible and legible, drawing or carrying burdens, shall be charged on passing any pay-gate on any of the said Roads, such additional Toll, not exceeding *Double* the Toll or Duty hereinbefore granted in respect thereof, as the said Commissioners of this Act shall direct to be charged; and the same shall be levied and collected in the same manner and with the same powers and authorities as the Tolls or Duties hereinbefore granted.

57. Commissioners enabled to demise or lease the Tolls, hereditaments, &c. for not longer than One Year.

And be it further Enacted, That it shall be lawful for the said Commissioners and they are hereby enabled and authorized from time to time to lease and demise all or any of the Tolls to be collected by virtue of this Act, and all or any of the Toll-houses, conveniences or appurtenances thereto belonging, for any time not exceeding , upon public bidding, to the highest bidder, and for the best rent or price that can be gotten for the same; and at such letting the said Commissioners shall have and be entitled to *One* or more biddings for the Tolls, either by themselves or their clerks or agent, or other person authorized by them for such purpose; and it shall be lawful for the said Commissioners to accept a private tender for the same, and to let, farm and demise all or any of such Tolls to such persons and in such manner as shall seem to the said Commissioners most advantageous for the interest of the said Road: Provided always, That the Rent of such Tolls and Toll-houses shall be made payable to such Commissioners *Monthly*, in equal payments, *One* Month's Rent to be always paid in advance on the day of entering into possession of such Tolls and Toll-houses, and on the *First* day of every succeeding Month during the continuation of the term of such Lessee or Lessees, Farmer or Farmers, each Month to be computed from the day of their entering into such possession; and that the leases, contracts, agreements or bonds for the same be in writing, and be duly executed by the Lessee or Lessees, Farmer or Farmers, of such Tolls; and that entries of such agreements or contracts be made in the books of proceedings of the Commissioners, and signed by one or more of the said Commissioners; and that such other sufficient security for payment of the rents to be reserved by and for the performance of the contracts and covenants to be contained in such Lease or Leases shall be taken as to the said Commissioners shall seem proper.

Such Rents to be made payable monthly.

58. Lessees, &c. empowered to deman Tolls, and invested with powers of Commissioners to enforce them.

And be it further Enacted, That during such time as the said Tolls or any part or parts thereof shall be leased, demised or let to any person or persons whomsoever, it shall and may be lawful to and for the Lessee and Lessees, Farmer or Farmers thereof, or to such other person or persons as he or they shall, by writing or writings under

his or their hand or hands, authorize or appoint to demand and take said Tolls so leased, demised and farmed, with the like powers for the recovery thereof, to all intents and purposes whatsoever, as any Collector of the said Tolls appointed by the said Commissioners by this Act is invested with; and such Lessee or Lessees, Farmer or Farmers, Collector or Collectors, or any person or persons aforesaid, shall be subject to the regulations of this Act, and to the like pains, penalties and forfeitures, and shall be liable to the like actions and prosecutions as any Collector of the said Tolls appointed by the said Commissioners is subject or liable to.

59. Collector being Lessee to have his Christian and surname painted on a board in front of Toll-house.

And be it further Enacted, That each and every Toll Collector, being Lessee of the Tolls authorized to be collected upon any of the said Roads, be appointed or continued either by the said Commissioners respectively, or by any such Lessee or Lessees, to collect the Tolls payable at any Turnpike or Tollgate erected or to be erected by the said recited or other Acts, or any of them, or by this Act respectively, shall and he is hereby required to place his christian and surname, painted on a board in legible characters, in the front or some other conspicuous part of the Toll-house or Toll-gate immediately on his coming on duty, each of the letters of such name to be at least *One* Inch in breadth, in proportion, and painted either in white letters on a black ground, or black letters on a white board, and shall continue the same so placed during the whole time he shall be on duty; and if any Collector of the said Tolls shall not place such board as aforesaid, and keep the same there during the time aforesaid, or shall demand and take, or cause to be demanded and taken, any Toll not authorized by this Act to be taken, or a greater or less Toll than authorized to be taken by virtue of the powers of this Act, or of the orders and resolutions of the Commissioners made in pursuance thereof, or shall demand and take, or cause to be demanded and taken, a Toll from any person or persons who shall be exempt from the payment thereof, and claim such exemption, or shall refuse to permit or suffer, or shall in any way hinder any person or persons from reading his christian or surname as aforesaid, or shall refuse to tell his or her christian or surname to any person or persons who shall demand the same on having paid the said Tolls or any of them, or shall, in any answer to such demand, give a false name or names, or shall refuse or neglect to give a Ticket denoting the payment of the Toll, and having named the several gates freed by such payment, or shall unnecessarily detain any passenger or passengers, or shall make use of abusive language to any Commissioner, traveller, passenger or passengers, then and in every such case every such Toll Collector shall forfeit and pay any sum not exceeding *Five* Pounds, nor less than *Twenty* Shillings, for every such offence, as the Justice or Justices before whom the information shall be laid shall adjudge; and such

penalty

penalty shall be recovered and applied as other penalties are by this Act directed to be recovered and applied.

60. Any Lessee, farmer of the Tolls, who shall make default in the conditions of the agreement, may be dispossessed of same by any Justice of the Peace.

And be it further Enacted, That in case all or any of the Tolls arising by virtue of this Act shall be demised or let to farm to any person or persons in any manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the terms and conditions on which the same shall be demised or let, or in case the rent or rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in arrear for the space of *Fourteen* Days next after any of the days on which the same ought to be paid pursuant to the agreement for the demising or letting thereof, or in case such lease or agreement shall in any other manner become void, then and in either or any of such cases it shall and may be lawful for any Justice of the Peace for the county, city or place where the Toll-gate or Toll-house shall be situate, and he is hereby required, upon application made to him by the said Commissioners, or any of their officers thereto authorized by them, to order any police or other constable or other peace officer, with such assistance as shall be necessary, to enter upon and take possession of any or every such Toll-house or Toll-houses, Toll-gate, bar or chain, and the buildings, gates or appurtenances thereunto belonging, and to remove and put out such Lessee or Farmer of the Tolls, and also any other person residing thereat respectively from the possession thereof, and from the collection of such Tolls, and to put the Commissioners or any person acting by or under their authority into the possession thereof; and that thereupon it shall be lawful for the said Commissioners, if they shall think fit, to vacate and determine the demise of the said Tolls, or the contract or agreement for demising or letting the said Tolls to such Lessee or Farmer; and the same shall be utterly void to all intents and purposes, save as to the obligations, covenants or agreements for payment of the rent or rents thereby reserved, or other non-performance or broken obligations, covenants or agreements on the Lessee's part, as if such demise or agreement had never been made; and in that case, or in case the lease or agreement shall otherwise become void, it shall and may be lawful for the said Commissioners in every such case to demise and let to farm the said Tolls again to any other person, or cause them to be collected in such and the same manner as if no former demise, contract or agreement had been made relative thereto.

61. Commissioners empowered to compound for One Year with any person for any car, &c.

And be it further Enacted, That it shall and may be lawful for the said Commissioners from time to time to compound with any person for any period of time not exceeding *One* Year, for any carriages, horses, beasts or other cattle passing on the said Roads or any of them, or any part or parts thereof, for all or any of the said Tolls to be paid in respect of such carriages, horses or other cattle; and all

such composition money shall be paid in advance *One* Month, and in default thereof every such composition shall be null and void to all intents and purposes whatsoever.

62.
Commissioners empowered to contract for improving, repairing, &c. of Roads.

And be it further Enacted, That it shall and may be lawful for the said Commissioners, and they are hereby empowered to enter into any contract for the improving, altering, repairing and amending of any of the said Roads, or of any part or parts thereof, or for furnishing materials, or for any purpose or purposes relative to the execution of this Act, of which contract *Fourteen* Days' public notice at the least shall be given previous to the entering into the same, in such manner as the said Commissioners shall direct, expressing the purpose of such contract, in order that any person willing to undertake the same may make proposals for that purpose, to be offered to the said Commissioners, at a certain time and place in such notice to be mentioned; and the said Commissioners shall and they are hereby required to take security from every such Contractor for the due performance of his Contract; and every such Contract shall be signed by the said Commissioners, and by the persons contracting to perform such works respectively, which Contract when so signed shall be entered in a book to be kept for that purpose by the said Commissioners: Provided always, That no such Contract shall be deemed good, valid or effectual, if the same shall have been made for a longer space of time than *Three* Years from the time of entering into the same.

Fourteen Days' notice.

Commissioners required to take security from Contractors.

No Contract valid made for a longer space than Three Years.

63.
Commissioners may compound with any person for breach of contract.

And be it further Enacted, That it shall and may be lawful to and for the said Commissioners, from time to time and at all times hereafter, to compound and agree with any person or persons on account of any breach or non-performance of such Contract or Contracts, and all costs, charges or expenses which shall be occasioned thereby.

64.
Commissioners may divert, vary, alter and widen Roads through private grounds by making compensation.

And be it further Enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby fully empowered from time to time, as they shall think proper, to divert, widen, shorten, vary or alter the course or path of any part or parts of the said Roads or any of them intended to be repaired and improved by this Act, and that any variation of Road may be made by any width not exceeding *One hundred* Feet through any common or waste ground without making any satisfaction for the same, and through any private and enclosed lands or hereditaments, first making satisfaction to the owners thereof and persons interested therein for the damage they may sustain thereby; and for that purpose it shall and may be lawful to and for the said Commissioners to treat, contract and agree with the Owners of and persons interested in any lands, tenements or hereditaments for the purchase thereof, or for the loss or damage such owners or persons interested may sustain by the making or altering the course or path of

of any part or parts of the said Roads or any of them through such lands, tenements or hereditaments or any part thereof, and which shall and may by order and direction of the said Commissioners be laid into and made part of the said Roads or any of them, in such manner as the said Commissioners shall think convenient, and shall by such person or persons as they shall order and appoint, be drained, ditched and fenced out for that purpose; and after the said lands shall be so drained, ditched and fenced out, the same shall to all intents and purposes whatsoever become and be deemed and taken to be a public and common Highway, and to be part of the Road to be amended, widened and kept in repair, by such ways and means and in such a manner as the old Road was and ought to be kept in repair; and after any such lands shall be made part of the said Road respectively as aforesaid, the lands or grounds comprised in or constituting the former Roads respectively, in lieu whereof such lands or grounds shall be purchased as aforesaid, shall be sold by said Commissioners to such person or persons as shall be willing to become a purchaser thereof, for the best price that can be reasonably had or gotten for the same; and the conveyance thereof being executed by the said Commissioners, and enrolled with the Clerk of the Peace or Town Clerk, as the case may be, for the county, city or place according to the jurisdiction in which such lands or grounds shall be, shall be good, valid and effectual to all intents and purposes whatsoever, and for which enrolment a fee of *Five* Shillings only shall be demanded or paid.

65. Notice to be given by the Commissioners of their intention to apply to the Grand Jury for a sum for altering, &c. such Roads in any county except Dublin.

And be it Enacted, That it shall and may be lawful for the said Commissioners to give notice by advertisement to be inserted *Three* times or oftener in some Newspaper published or generally circulating in any County or County of a City or Town in which any of the said Roads shall be situate, except the county of Dublin, or the county of the City of Dublin, that application is intended to be made at the ensuing Assizes or Presenting Term to the Grand Jury of such County or County of a City, except as aforesaid, for the presentment of a sum to be mentioned in such notice, to be applied in aid of the other funds accruing to the said Commissioners under this Act, to widen or vary or alter the course of any part of any such Road; and thereupon, and without any application to any Special or Presentment Sessions, it shall and may be lawful for the Grand Jury at such Assizes or Presenting Term, if they shall so think fit, to present the sum so mentioned, or such smaller sum as they shall think proper to be raised off such county or place and paid to the said Commissioners, and to be applied to the purpose aforesaid: Provided, That it shall be lawful for any owner or occupier of ground into, through, over and upon which any part of the said Road is to be altered or widened, to traverse the same for damages as such Assizes or Presenting Term as aforesaid; and such traverse shall be tried at the said Assizes or during

the said Presenting Term, and the Jury then and there impannelled to try the same, shall true verdict give, whether any and what damage shall thereby accrue to the traverser; and upon the damages so found being paid to the traverser or deposited with the Treasurer of such county for the use of the said traverser, it shall and may be lawful for the said Commissioners to proceed in the execution of the said Presentment without interruption from any person or persons whatever; and it shall be lawful for the said Grand Juries and they are hereby empowered to present such sum or sums of money so found as damages to be raised off the said county in which the traverser shall have it appear that he has sustained the damages, to which Presentment no traverse shall be allowed or received.

66. Every such new line to become virtually a Road according to the terms of this Act.

And be it further Enacted, That in case any part of the said Road shall be diverted or turned by any Grand Jury's presentment as aforesaid, then and in such case every such line and the improvement, alteration and variation thereby made shall be and be deemed to be a part of the Roads hereby placed under the direction or mamagement of said Commissioners; and every such Road so diverted or turned by such presentment or presentments shall be subject and liable to the enactments and provisions in this Act contained.

67. Persons possessed of property by themselves or others to be enabled to sell to the Commissioners.

And be it further Enacted, That it shall and may be lawful to and for the said Commissioners to treat, contract and agree with the owners and persons interested in any lands, houses, buildings, tenements and premises, which it may be necessary to purchase for widening, diverting, altering and improving the said Roads or any of them, and also for making all necessary fences on the sides of the said Roads respectively, and for the erection of Tollhouses with the necessary accommodation thereto for the purchase thereof, and for the loss or damage such owners may otherwise sustain; and it shall be lawful to and for all bodies politic, corporate or collegiate, aggregate and sole, tenants for life or in fee-tail, general or special, or for years determinable on any life or lives, or any husbands, guardians, trustees or feoffees in trust, committees, executors, administrators and all other trustees whatsoever, not only for and on behalf of themselves, their heirs or successors, but also for and on behalf of the person or persons entitled in reversion, remainder or expectancy after them, and in behalf of their cestuique trusts, whether femes covert, infants or issue unborn, lunatics, idiots or other person or persons whomsoever, and to and for all femes covert who are or shall be seised of or interested in any such lands, houses, buildings, tenements, hereditaments and premises, or who shall sustain any damage as aforesaid, to sell and convey by conveyance, lease and release or bargain and sale enrolled unto the said Commissioners all or any such lands, houses, buildings, hereditaments or premises or any parts thereof, for the purposes aforesaid; and all contracts, sales and conveyances which shall be so made shall be good, valid and effectual to all intents and purposes, without

without fine or recovery, and shall be a complete bar to all estates tail and other estates, rights, titles and interests whatsoever, any law, statute, usage or other matter to the contrary notwithstanding; and all bodies politic, corporate or collegiate, aggregate or sole, tenants in tail for life, husbands, guardians, trustees, feoffees, committees, executors and all other persons, shall be and they are hereby indemnified for what they or any of them shall do by virtue or in pursuance of this Act.

68. Sheriff required to impannel such Jury

Provided always, and be it Enacted, That if any owner, proprietor, occupier of, or other person interested in any lands or tenements, which the said Commissioners shall judge necessary or proper to be purchased, taken or used for the purposes of this Act, or any such body politic, corporate or collegiate, aggregate or sole, tenants for life or in tail, general or special, or for years determinable on any life or lives in any husbands, guardians, trustees, feoffees or personal representatives, upon notice to him, her or them, given or left in writing at the dwelling-house or dwelling-houses, or at the house of the tenant in possession of any such lands, houses, buildings, tenements and premises, shall, for the space of *Fourteen* Days next after such notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the premises, or by reason of absence shall be prevented from treating, then and in every such case the said Commissioners shall cause such damage, value or recompense to be inquired into and ascertained, upon the oaths of a Jury of *Twelve* indifferent men of the county or place were said lands and premises do lie; and in estimating the same, the said Jury shall and they are hereby empowered and required to take under their consideration all the circumstances of the case, and particularly the advantage arising to the proprietors of new and altered roads; and the Sheriff of such county or town is hereby empowered and required, from time to time as occasion may require, to surrender and call before such Jury, and examine upon oath all persons whatsoever, who shall be thought necessary and proper to be examined concerning the premises; and such Sheriff shall, by ordering a view or otherwise, use all lawful ways and means as well for his own as the said Jury's information, in the premises; and after the said Jury shall have inquired and assessed damage and recompense, the said Commissioners of this Act shall thereupon order the sum or sums of money so assessed by the said Jury to be paid to the owners or other persons interested, according to the verdict or inquisition of such Jury; and such verdict or inquisition, and judgment, order and determination shall be final, binding and conclusive, to all intents and purposes, against all parties and persons whatever, and shall be enrolled by such Sheriff in the office of the Clerk of the Peace or Town Clerk of such county or county of a city or town as aforesaid, for which enrolment the fee of *Five* Shillings, and no more shall be taken or demanded by any such Clerk of the Peace or Town Clerk, as the case may be.

Sheriff to order a view.

Juries' Verdict binding.

69. Commissioners to issue their warrant to Sheriff to summon such Jury.

And be it further Enacted, That for summoning and returning such Juries the said Commissioners are hereby empowered to issue their warrant or warrants to the Sheriff or Sheriffs of the county of the city or town wherein such lands, tenements, hereditaments and premises do lie, commanding them or him to impannel, summon and return an indifferent Jury of *Twenty-four* Jurors, qualified to serve upon Juries, to appear before such Sheriffs or Sheriff, or their or his deputy or deputies, at such time and place as in such warrant or warrants shall be appointed, who is and are hereby empowered and required to impannel, summon and return such number of persons accordingly; and out of the persons so impannelled, summoned and returned, or out of such of them as shall appear upon such summonses, shall and is and are hereby empowered and required to swear, or cause to be sworn, *Twelve* men, who shall be a Jury for the purpose aforesaid; and in default of a sufficient number of Jurymen, the said Sheriff or Sheriffs, or their or his deputy or deputies, shall return other honest and indifferent men of the standers by, or that can be speedily procured to attend that service, to the number of *Twelve*: Provided always, That all persons concerned shall have their lawful challenges against any of the Jurymen to be summoned in pursuance of this Act, in such and the like manner as any party in any action depending in any of His Majesty's Courts of Record in Dublin is or shall be entitled to; and the said Sheriff or Sheriffs, or their or his deputy or deputies acting in the premises, are hereby empowered from time to time to enforce any reasonable Fine or Fines on any of the persons that shall be summoned and returned on the said Jury, and who without sufficient excuse shall not appear, or appearing shall refuse to be sworn on the said Jury, or being sworn shall refuse to give or shall not give their verdict, or in any other manner wilfully neglect their duty therein, contrary to the true intent and meaning of this Act, and on any of the persons who being required to give evidence before the said Jury shall without sufficient excuse refuse or neglect to appear, or appearing shall refuse to be sworn and examined or to give evidence; and that no one Fine be more than *Twenty* Pounds on any such Jury, Witness or other person for one offence.

Persons concerned to have their challenge.

Sheriff empowered to fine non-attending Jurors;

or Jurors refusing to give their verdict.

Such fines not to be more than Twenty Pounds.

70. Persons qualified to serve as Jurors must be freeholders.

Provided always, and be it further Enacted, That no person or persons shall be impannelled and returned to serve on any Jury or Juries under or by virtue of the provisions of this Act, who shall not have any estate of freehold in lands or tenements in the county, county of a city or town wherein such Jury shall be impannelled or returned, of the yearly value of *Fifty* Pounds, and that it shall be a good cause of challenge to any person impannelled and returned for such purpose that he hath not such estate of freehold as aforesaid.

And

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71.

If Jury shall assess more than Commissioners agreed to give, less than the costs, &c. to be borne by Commissioners;

And be it further Enacted, That in case any Jury or Juries to be summoned and sworn pursuant to the directions and authority of this Act, shall give a verdict or assessment for more money, as a recompense and satisfaction for the right, interest or property of any person or persons in any such lands, houses, buildings, tenements, hereditaments and premises, or for any loss or damage to be by him, her or them sustained, than what shall have been agreed to and offered by the said Commissioners before the summoning and returning the said Jury or Juries, as a recompense or satisfaction for any such right, interest or property, or for any loss or damage as aforesaid, or for less money than shall have been offered to be accepted or taken by or on behalf of the said Commissioners for the purchase-money of any such old Road as aforesaid, then and in every such case the costs and expenses of summoning and maintaining the said Jury and Witnesses, and all other expenses attending the hearing and determining of such differences after having been ascertained and settled by some Justice of the Peace, for the county or place where the cause of dispute shall arise, not interested in matter in question, who is hereby authorized to examine and settle the same, shall be borne and paid by the Commissioners, out of any money which shall then be in their hands, or out of any money to be received by virtue of this Act; but if any Jury or Juries so summoned and sworn as aforesaid shall give in and deliver a verdict or assessment for no more or for less money than shall have been agreed to and offered by or on behalf of the said Commissioners before the summoning and returning of the said Jury or Juries, as a recompense or satisfaction for any such right, interest or property in any such lands, houses, buildings, tenements or hereditaments and premises, or losses or damages as aforesaid, or for the same or any more money than shall have been offered to be accepted or taken by the said Commissioners, as the purchase-money for any such old Road as aforesaid, then and in every case the costs and expense of summoning and maintaining the said Jury and Witnesses, and all other expenses as aforesaid, shall be borne and paid by the person or persons with whom the said Commissioners shall have such controversy or dispute; which said costs and expenses shall be ascertained and settled by some Justice of the Peace for the county or place wherein the cause of dispute shall arise, not interested in the matter in question, who is hereby authorized and required to examine and settle the same, and shall and may be deducted out of the money so assessed and adjudged, as so much money advanced to and for the use of such person or persons; and the payment or tender of the remainder of such monies shall be deemed and taken to all intents and purposes whatsoever to be a payment and tender of the whole sum or sums so assessed and adjudged; or otherwise such costs and expenses, in case the same be not paid on demand after being so ascertained and settled as aforesaid, may be recovered by the said Commissioners

out of any money in their hands;

but if less money than Commissioners offered by the Jury assessed;

or for any more money;

then such expenses to be borne by person or persons interested in such lands, &c.,

to be ascertained by some Justice of Peace;

such costs to be deducted and remainder to be payment.

sioners by such ways and means as are herein provided for the recovery of penalties and forfeitures.

72.
Persons prevented by absence, posts, &c. to be borne by Commissioners.

Provided always, and be it further Enacted, That in all cases where any person or persons shall by reason of absence have been prevented from treating with the said Commissioners, such costs and expenses shall be borne and paid by the said Commissioners in manner aforesaid.

73.
Offer of purchasing such deserted Road to be first made to owner of the lands through which new Road made.

Provided always, and be it further Enacted, That whenever the course of any or any part of the said Roads respectively shall be altered by this Act, and a new Road opened and made in and upon the adjoining land, the offer of the purchase of such old Road shall be first made to the owner of such adjoining land which shall be cut and used for the purpose of making such new Road; and in case such owner shall be desirous of becoming the purchaser of such old Road, and cannot agree with the said Commissioners for the price to be paid for the purchase of the same, then and in such case the value thereof shall be settled and ascertained by a Jury in such and the like manner as the price for any land to be purchased or taken in pursuance of this Act is directed to be settled and ascertained in and by this Act; and such Owner shall be deemed the purchaser thereof at the sum to be ascertained by a Jury to be the value thereof; and in case such Owner shall refuse to pay such money upon demand made thereof by the said Commissioners or the person authorized by them, and tender of the conveyance of such old Road, the same shall and may be recovered by the said Commissioners by action of debt in any of His Majesty's Courts of Record in Dublin; and in case any such Owner shall not agree or shall refuse to purchase any such old Road, it shall and may be lawful to and for any person or persons not interested in the premises to make an affidavit, to be sworn before a Master Extraordinary of the High Court of Chancery, or before one of His Majesty's Justices of the Peace for the county, city or place where such old Road shall be, stating that such offer has been made by or on behalf of the said Commissioners, and that such Owner has not agreed or has refused to purchase such old Road, as the case may be; and such affidavit shall in all Courts whatsoever be sufficient evidence and proof that such offer was made and not agreed to, or was refused by such owner.

In case the value cannot be ascertained by the parties, a Jury to be summoned,

and the owner refusing to pay such money so ascertained,

Commissioners may recover by action of debt;

and any such owners refusing to purchase such old Road,

affidavit of such fact to be sufficient.

74.
If lands of two owners purchased, each to be entitled to preference for so much of old Road as lying near his land.

Provided always, and be it further Enacted, That if the Lands of two or more persons shall be purchased or taken for any such new Rnad as aforesaid, each and every such Owner shall be entitled to the first offer of so much of the old Road as is lying immediately adjoining to his or her or their Land respectively in manner aforesaid: Provided also, That if such Owner or Owners respectively shall be willing and content to take such old Road in exchange for such new Road,

If owners consent to take old Road for new Road,

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Road, it shall and may be lawful to and for the said Commissioners, and they are hereby required to assign the same to such person or persons by entering the same in their books, and delivering to him or them a copy of the entry thereof, signed by any *Two* or more of the said Commissioners, which copy shall be a good and valid title to the same, and be available in any suit in law or equity.

Commissioners empowered to conclude the agreement.

75.

Provided always, and be it further Enacted, That nothing herein contained shall extend or be construed to extend so as to enable the said Commissioners to take, ask, use, injure or damage any dwelling-house or other building, built of stone and mortar, or brick or mortar, or any garden walled in, orchard, yard, park, paddock or other field or place, so as that the wall or walls of the said field or place be of the height of *Five* Feet or more, and made with lime, mortar and brick or stone, or any planted walk or avenue to a house, without the consent of the Owners or Proprietors thereof.

Commissioners not empowered to interfere with premises in text.

76.

And be it further Enacted, That if any money shall be paid or agreed or awarded to be paid for the purchase of any lands, houses, buildings or tenements, hereditaments and premises to be purchased, taken or used by virtue of the powers of this Act, which shall belong to any body politic, corporate or collegiate, tenant for life or in tail, or to any feoffees in trust, executor or administrator, husband, guardian, committee or other trustee for or on behalf of any infant, idiot, lunatic, feme covert, or cestuique trust, or to any other person or persons whose lands, houses, buildings, tenements, hereditaments and premises are limited in strict or other settlement, or to any person or persons under any other disability or incapacity whatsoever, such money shall, in case the same shall amount to or exceed the sum of *Two hundred* Pounds, with all convenient speed be paid into the Bank of Ireland, in the name and with the privity of the Accountant General of the High Court of Chancery in Ireland, to be placed to his account ex parte the said Commissioners, to the intent that such money shall be applied under the direction and with the approbation of the said Court, to be signified by an order made upon a Petition to be preferred in a summary way by the person or persons who would have been entitled to the rents and profits of the said lands, houses, buildings, tenements, hereditaments and premises, in or towards the discharge of any debt or debts, or such incumbrances or part thereof as the said Court shall authorize to be paid, affecting the same lands, houses, buildings, tenements, hereditaments and premises, or affecting other lands, tenements and hereditaments standing settled therewith, to the same or to the like use, trusts, intents or purposes, or where such money shall not be applied, then the same shall be laid out and invested under and with the like directions and approbation of the said Court, in the purchase of other lands, houses, buildings, tenements

Lands, &c. to be purchased from any Body Corporate or person incapable; the money to be lodged in Bank of Ireland, to be paid out to whomsoever it shall be ascertained is entitled thereto.

If money not so applied, to be laid out under direction of Court of Chancery in purchasing.

ments and hereditaments, which shall be conveyed, limited and settled to, for and upon such and the like uses, trusts, intents and purposes, and in the same manner as the lands, tenements, hereditaments and premises which shall be so purchased, taken or used as afore aid stood settled and limited, or such of them as at the time of making such conveyance or settlement shall be existing undetermined and capable of taking effect; in the meantime and until such purchase shall be made, the said money shall, by the order of the said Court, upon application thereto, be invested by the said Accountant General in his name in the purchase of Government Securities, and in the meantime, and until such Government Securities shall be ordered by the said Court to be sold for the purposes aforesaid, the dividends or interest and annual produce of the said Government Securities shall from time to time be paid, by order of the said Court, to the person or persons who would for the time being have been entitled to the rents and profits of the said lands, houses, buildings, tenements, hereditaments and premises so to be purchased in case such purchase or settlement were made.

77. If sum agreed to be paid amount to 200*l.* or be as low as 20*l.*, same to be at the option of the person for the time being entitled to rents, or of their Guardian or Guardians, &c.

Provided always, and be it further Enacted, That if any money so agreed or awarded to be paid for any lands, houses, buildings, hereditaments and premises to be purchased, taken or used for the purpose aforesaid, and belonging to any corporation, or to any person or persons under disability or incapacity as aforesaid, shall be less than the sum of *Two hundred* Pounds, and shall exceed or amount to the sum of *Twenty* Pounds, then and in all such cases the same shall be, at the option of the person or persons for the time being entitled to the rents and profits of the lands, houses, buildings, tenements, hereditaments and premises so purchased, taken or used, or of his, her or their guardian or guardians, committee or committees, in cases of infancy, idiotcy, lunacy or other incapacity, to be signed in writing under their respective hands, paid into the Bank of Ireland, in the name and with the privity of the said Accountant General of the High Court of Chancery, and placed to his account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise, the same shall be paid at the like option to *Two* Trustees to be nominated by the person or persons making such option, and approved of by the said Commissioners, such nomination and approbation to be signified in writing under the hands of the nominating and approving parties, in order that such principal money, and the produce and dividends arising thereon and therefrom, may be applied in manner hereinbefore directed, so far as the case shall be applicable, without obtaining or being required to obtain the direction or approbation of the said High Court of Chancery.

78. If such sum less than 20*l.* same to be

Provided always, and be it further Enacted, That where such money so agreed and awarded to be paid as last before mentioned shall be less than

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than *Twenty* Pounds, then and in all such cases the same shall be applied to the use of the person or persons who would for the time being have been entitled to the rents and profits of the lands, houses, buildings, tenements, hereditaments and premises so purchased, taken and used for the purposes of this Act, in such manner as the said Commissioners shall think fit; or in case of infancy, idiotcy, lunacy or other incapacity, then such money shall be paid to his, her or their guardian or guardians, committee or committees, trustee or trustees, to and for the use and benefit of such person or persons so entitled thereto.

applied to the use of person who would be entitled to rents.

79.

If person owning lands purchased by Commissioners be incapable to receive money, same to be paid into Bank of Ireland.

And be it further Enacted, That in case the person or persons to whom any sum or sums of money shall be awarded for the purchase of any lands, houses, buildings, tenements, hereditaments and premises to be purchased, taken or used under and by virtue of the powers of this Act, shall refuse to accept the same, or shall not be able to make a good title to the premises to the satisfaction of the said Commissioners, or in case the person or persons to whom such sum or sums of money shall be so awarded as aforesaid cannot be found, or if the person or persons entitled to any such lands, houses, buildings, tenements, hereditaments and premises be not known or discovered, then and in every such case it shall be lawful for the said Commissioners to order the said sum or sums of money so awarded as aforesaid to be paid into the Bank of Ireland, in the name and with the privity of the Accountant General of the High Court of Chancery, to be placed to his account there to the credit of the parties interested in the said lands, houses, buildings, tenements, hereditaments and premises (describing them), subject to the order, control and disposition of the said High Court of Chancery, which said Court, on the application of any person or persons making claim to any such sum or sums of money or any part thereof by motion or petition, shall be and is hereby empowered in a summary way of proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the public funds, and to order distribution thereof, or the payment of the dividends thereof, according to the respective estate or estates, title or interest of the person or persons making claim thereunto, and to make such order in the premises as to the said Court shall appear just and reasonable, and the Cashier or Cashiers of the Bank of Ireland who shall receive such sum or sums of money, is and are hereby required to give a receipt or receipts for the same, mentioning and specifying therein for what and for whose use the said sum or sums of money is or are received to such person or persons as shall pay any sum or sums of money into the Bank of Ireland as aforesaid.

Court to grant such sums to those proving title.

80.

If objection made to title of any person to such money, same

Provided always, and be it further Enacted, That where any question shall arise touching the title of any person to any money to be

to be considered belonging to the person in possession till contrary proved.

paid into the Bank of Ireland in the name and with the privity of the Accountant General of the High Court of Chancery, in pursuance of this Act, for the purchase of any lands, houses, buildings, tenements, hereditaments and premises, or of any estate, right or interest in any lands, houses, buildings, tenements, hereditaments and premises to be purchased in pursuance of this Act for the purposes aforesaid, or to any Government securities to be purchased with any such money, or dividends or interest of the said Government securities, the person or persons who shall have been in possession of any such lands, houses, buildings, hereditaments and premises at the time of such purchase, and all persons claiming under such person or persons, or under the possession of such person or persons, shall be deemed and taken to have been lawfully entitled to such lands, houses, buildings, tenements, hereditaments and premises, according to such possession, until the contrary shall be shown to the satisfaction of the said High Court of Chancery; and the dividends or interest of the Government securities to be purchased with such money, and also the capital of such Government securities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such possession was a wrongful possession, and that some other person or persons was or were lawfully entitled to such lands, houses, buildings, tenements, hereditaments and premises, or some estate or interest therein.

81.

In case of incapacity of person entitled to lands, &c. purchase money to be paid into Court of Chancery,

and to be applied in other purchases.

Provided also, and be it further Enacted, That where by reason of any disability or incapacity of the person or persons or corporation entitled to any lands, houses, buildings, tenements, hereditaments and premises, to be purchased, taken or used under the authority of this Act, the purchase-money for the same shall be required to be paid into the Court of Chancery, and to be applied to the purchase of other lands, houses, buildings, tenements, hereditaments and premises to be settled to the like uses in pursuance of this Act, it shall be lawful for the said High Court of Chancery to order the expense of all purchases from time to time to be made in pursuance of this Act, or so much of the said expenses as to the said Court shall seem reasonable, together with the necessary costs and charges of obtaining such order, to be paid to the said Commissioners out of this monies to be received by virtue of this Act, who shall from time to time pay such sums of money for such purposes as the said Court shall direct.

Court to order expenses of all purchases to be paid to the said Commissioners.

82.

Grand Juries not exonerated or disabled from repairing Roads.

And be it further Enacted, That nothing in this Act contained shall extend or be construed to extend to take away from Grand Juries the power or the obligation to repair any or any part of the Roads to which this Act is specially applicable; but that it shall and may be lawful for the Grand Juries of the several counties, cities,

or

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or counties of cities respectively, within which any or any part of the said Roads are or shall be situate respectively, and they are hereby required to present from time to time such sums so levied on the county or county of city as shall appear to be necessary, in consequence of a deficiency in the tolls or funds for repairing any or any part of the said Roads, or for making or repairing the bridges, quays, walls, pipes and gutters therein, or the footpaths thereto respectively, and also for repairing such parts of the old roads as now are or shall be respectively used as public roads, although turnpikes may be erected thereon; and whenever it shall appear to the said Commissioners that the tolls or funds have been sufficient for such repairs or works as aforesaid for and during the period of *Six* Months preceding, the Secretary or other officer appointed by said Commissioners for such purpose, shall certify to the Secretary of the Grand Jury of any and every such county or county of a city within which any such road or bridge, quay, water-pass, gutter or footpath, or any portion thereof, shall be situate respectively, the amount of money by which the said funds or tolls respectively shall appear to said Commissioners to have been deficient for the repairing or making of any such road or bridge, quay, wall or pipe, or gutter or footpath, and which shall have been expended upon the making or repairing thereof respectively, or any portion thereof, within any and every such county or county of a city respectively; and every such certificate shall, at the next or some succeeding Assizes, or in the case of the county of the city of Dublin at the next presenting term, be laid before the Grand Jury of any and every county or county of a city respectively; thereupon it shall and may be lawful to and for such Grand Jury, and any and every such Grand Jury are hereby authorized and required, without any application to Special or Presentment Sessions, to make presentment of the amount of such expenses, as stated in such certificate to be raised off such county or county of a city at large; any thing in any Act or Acts whatsoever to the contrary, or limiting the amount of any presentment to be made by any Grand Jury, notwithstanding; and it shall not be lawful for the Court at any Assizes, or for the Court of King's Bench at any presenting term, to fiat any presentment for raising any other money, until such presentment for such expenses be first made and allowed; and when and so soon as the sum so to be presented as aforesaid shall be raised and received by the Treasurer of each county or county of a city respectively, such Treasurer shall pay over the same respectively to the said Commissioners, or to such person and in such manner as they shall appoint.

Grand Juries required to levy for the maintenance of Roads any deficiency in the Toll.

If Tolls insufficient, Secretary of Commissioners to notify same to Secretary of Grand Jury.

In case of Dublin.

When sum levied and Treasurer of county receives it, he is to pay it over to Commissioners.

83.

Any Bridge partly in one county and partly in another, to be repaired, rebuilt, &c. by both.

Provided always, and be it Enacted, That where any Bridge which shall be made, repaired or maintained as in the last preceding Sections mentioned, shall be situate partly in one county and partly in another, the amount of the expense of making, maintaining and

repairing of such Bridge in which such Tolls or Funds shall be deficient as aforesaid, shall be borne and defrayed equally between the several counties, and the Certificates and Presentments required by this Act shall be made and raised accordingly.

84.

Commissioners empowered to cut, dig, &c. materials for repairing, &c. out of any common,

And be it further Enacted, That it shall and may be lawful for the said Commissioners, their Surveyor or Surveyors, and for all such persons as they shall respectively appoint, to search for, cut, dig, gather and take away any materials for making or repairing the said Roads or any of them, or for other the purposes of this Act, out of any common or waste ground, river or brook, in any parish, townland or place in or near which any part of any of the said Roads may lie, in any adjoining parish, townland or place, without paying any thing for the same, or without being deemed trespasser or trespassers; the said Surveyor or Surveyors, or other person or persons filling up the pits or quarries, levelling the ground, or sloping down the banks where such materials shall be so taken, or railing or fencing off such pits or quarries, so that the same may not be dangerous to passengers or cattle; and also such Surveyor or other person as aforesaid may, by order of the said Commissioners, search for, cut, dig, get, gather and take away any such materials as aforesaid in, off, from and out of the private lands, fields or grounds of any person or persons where the same may be had or found, such lands, fields or grounds not being a garden, walled-in orchard, yard, deer park, paddock or field enclosed with a wall made of lime, mortar, stone or brick of the height of *Five* Feet at least, walk or walks or avenue to a house, or any piece of ground planted or set apart as a nursery for trees, making or tendering such satisfaction for such materials, as well as for the damages done to the soil thereby, to the Owners and Occupiers of such grounds where and from whence the same shall be cut, dug, gotten, gathered and carried away, or over which the same or any other materials for repairing the said Road shall be carried, according to their respective rights and interests in the said ground, as the said Commissioners shall judge reasonable; and in case of any difference between the said Commissioners, Surveyor or Surveyors, or other person or persons employed as aforesaid, and the said Owners or Occupiers, or any of them, concerning such damages, it shall and may be lawful to and for any *Two* or more Justices of the Peace of the county, city or place where such materials shall be so cut, dug, gotten, gathered, taken and carried away or over, on application made to them for the purpose, and *Six* Days' notice thereof in writing being given by either party to the other, or left at their respective place of abode, to hear, settle and determine such payment and damages; and the judgment or order of the said Justices shall be final and conclusive to all parties.

without charge or being deemed trespassers.

Same may be taken from any private lands,

first making satisfaction.

In case of difference, any Justice of Peace may settle and determine same.

Provided

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85. Surveyor not to dig or take from any enclosed ground till after rendering notice.

Provided nevertheless, and be it further Enacted, That it shall not be lawful for any Surveyor or other person or persons acting under the authority of this Act, to dig, gather, get, take or carry away any materials for repairing the said Roads out of or from any enclosed lands or grounds until *Ten* Days' notice in writing, signed by the Surveyor or other person employed by the said Commissioners, shall have been given to the occupier of the premises from which such materials are intended to be taken or left, for such occupier, at his usual place of residence, to appear before any *Two* or more Justices of the Peace acting for the county, city or place where such premises shall lie, to show cause why such materials shall not be had from such lands or grounds; and in case such Occupier or his Agent shall attend pursuant to such notice, but shall not show sufficient cause to the contrary, then and in such case such Justices shall and may authorize such Surveyor or other person or persons to dig, get, gather, take and carry away such materials at such time or times as to the said Justices shall seem proper; and if such Occupier shall neglect or refuse to appear without sufficient excuse by himself or his Agent pursuant to such notice, the said Justices shall and may make such order therein as they respectively shall think fit, as fully and effectually to all intents and purposes as if such Occupier or his Agent had attended.

If occupier attend, but show not sufficient cause, such Justice may authorize such surveyor to dig, &c.

86. Commissioners may contract for land, and hold it, dig stones, gravel, &c.

Provided always, and be it further Enacted, That it shall and may be lawful for the said Commissioners to contract and agree with any person whomsoever for the purchase or demise from him of any land or ground, and to hold the same for the purpose of digging stones, gravel and materials therefrom for the repair and use of the said Roads respectively, and at any time afterwards to sell the land or ground so purchased by public auction or tender: Provided also, That the entering into every such contract or agreement as last aforesaid shall not be compulsory against any person or persons unwilling to enter into the same.

87. Persons taking away stones, gravel, &c. from the said Roads without order of Commissioners to forfeit not more than Five Pounds.

And be it further Enacted, That if any person or persons whomsoever shall remove or take away any stones or gravel or other materials laid upon any of the said Roads for the repair thereof, without the order of the said Commissioners or their Surveyor, or other Officer or Contractor, for that purpose, or if any person whomsoever shall take away any stones or gravel or other materials which shall have been dug or gathered by or by the order of the said Commissioners or their Surveyor or other Officer, in any lands, fields, grounds, rivers or brooks for the purpose of altering or amending the said Roads or any part or parts thereof respectively, or shall get or take away any stone, gravel or other materials out of any pit or quarry which shall have been made for the purpose of getting such materials for altering or amending the said Roads or any them, or any part

thereof, before the said Surveyor or other Officer as aforesaid, or his or their workmen, shall have discontinued working therein for the space of *Six* Weeks, except the owner or occupier of any private ground and person authorized by such owner or occupier to get materials thereon for his or her own private use only and not for sale, every person so offending shall forfeit for every such offence any sum not exceeding *Five* Pounds, to be recovered by the Surveyor or other Officer of the said Commissioners authorized for such purpose, by the ways and means hereinafter provided for the recovery of penalties and forfeiture.

88.

Commissioners may rent place for stone depositories;

And be it further Enacted, That it shall and may be lawful for the said Commissioners and they are hereby empowered to purchase or rent any piece or pieces of ground not exceeding in any one place *Ten* Yards square, on the side or sides of such Roads respectively, as repositories for stone, gravel and other materials for making and repairing the same; and in case any difference shall arise between the Commissioners and the Owner or Owners of such ground with respect to the value thereof, or the necessity or propriety of taking such ground, the same shall be determined by any *Two* of His Majesty's Justices of the Peace for the county, city or place assembled in Petty Sessions, according as the said ground shall be situated in manner hereinbefore directed with respect to getting materials for the repairs of the said Roads respectively.

any difference between owner and Commissioners to be determined by Two Justices of the Peace.

89.

Surveyor may make drains and ditches,

And be it further Enacted, That it shall and may be lawful to and for the Surveyor, or other Officer or person appointed by the said Commissoners, to cut and make any Drains or Ditches through or into any lands or grounds adjoining or lying contiguous to any part of the said Roads respectively, in such manner as such Commissioners, or the person appointed by them for that purpose, shall deem and judge necessary and proper, for amending or keeping in repair any part of the said Roads; and also to make a way or ways through the lands or grounds adjoining to any narrow or ruinous part or parts of the said Roads (not being a garden, walled-in orchard, yard, park, paddock, planted walk or avenue to a house) to be made use of as a public Highway, whilst the narrow or ruinous parts of said Roads respectively are widening or repairing, and until the same shall be convenient and safe for the passage of travellers and carriages; making such reasonable satisfaction to the owners and occupiers of such lands respectively through and into which any such drain shall be cut, or on or over which any such temporary Road shall be made, for the damages which such owners or occupiers respectively shall or may thereby sustain, as shall be adjudged reasonable by the said Commissioners; and in case any difference shall happen between such Owners or Occupiers and such Commissioners touching such damages, then and in every such case the

and make ways through contiguous lands whilst the Roads are mending;

satisfaction for same being made.

Any difference to be settled at Quarter Sessions.

the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the county or city or place respectively wherein such damage shall be done, shall and they are hereby authorized and required to hear, settle and determine the same, and their determination therein shall be final and conclusive.

90. Commissioners refusing to pay any sum so directed by such Justices may be distrained after Ninety-one Days so refusing.

And be it further Enacted, That when and as often as any sum or sums of money shall be directed or ordered to be paid by any Justice or Justices of the Peace, or by way of compensation or satisfaction for any materials or costs, or for any damage, spoil or injury of any nature or kind whatsoever, done or committed by the said Commissioners, or any person or persons acting by or under their authority, and such sum or sums of money shall not be paid by the said Commissioners to the party or parties entitled to receive the same within *Ninety-one* Days after demand in writing shall have been made to the said Commissioners, in pursuance of the directions or order made by such Justice or Justices, then and in such case the amount of such compensation or satisfaction shall and may be levied and recovered by distress and sale of the goods and chattels vested by this Act in the said Commissioners under a warrant to be issued for that purpose by such Justice or Justices; which warrant any such Justice or Justices is and are hereby authorized and required to grant under his hand and seal or their hands and seals, on application made to him for that purpose by the party or parties entitled to receive such sum or sums of money, as or by way of compensation or satisfaction for any such materials, costs, damages, spoil or injury as aforesaid; and in case any overplus shall remain after payment of such sum or sums of money, and the costs and expenses of hearing and determining the matter in dispute, and all the costs and expenses of such distress and sale, then and in such case such overplus shall be returned on demand to the said Commissioners or the person authorized by them for such purpose for the time being, as the case may be.

Justices authorized to grant warrant to distrain Commissioners making such default in payment.

Any overplus to be returned to Commissioners.

91. Persons prohibited from carrying away stones, &c. from sea-shore adjoining Road from Dublin to Howth.

AND whereas part of the Road from Dublin to Howth is situated and passes along the Sea-shore or beach, and it is necessary to protect the same from being injured by the removal of stones and other materials therefrom; BE it further Enacted, That it shall not be lawful for any person or persons other than the Owners or Proprietors thereof to dig or take or carry away any stones, pebbles, gravel, sand or other materials from the Sea-shore or beach along which any part of the Road from Dublin to Howth is situated and passes, without the license and consent in writing of the said Owner or Proprietor, or of the Commissioners of this Act, first had and obtained; and if any person other than as aforesaid shall without such license and consent dig or take or carry away any such stones, pebbles, gravel, or sand or other materials, every person so offending shall for such offence forfeit and pay the sum of *Fifty* Pounds.

92. Every person encroaching on Roads or injuring same to forfeit Forty Shillings.

And be it further Enacted, That if any person shall encroach upon the said several Roads or any of them, by erecting or causing to be erected any wall, dwelling-house or other building within *Twenty* Feet of the centre thereof, or any hedge, ditch or other fence on or at the sides of the said Roads respectively, so as to reduce the breadth or confine the limits thereof, or shall make any drain, gutter, sink or watercourse across, or otherwise break up or injure the surface of the said Roads respectively or any part thereof, or shall place any sluices or dam in any brook or watercourse, whereby the said Roads respectively or any part thereof shall be flooded or injured, every person so offending shall forfeit for every such offence the sum of *Forty* Shillings to such person as shall give information of the same; and it shall be lawful for the said Commissioners to cause such wall, dwelling-houses, buildings, hedges, fences, sluices or dams to be taken down, and such ditches, drains, sinks or watercourses to be filled up at the expense of the person or persons to whom the same shall belong; and it shall and may be lawful for any *One* or more Justice or Justices of the Peace for the county, city or place where such offence shall be committed, upon proof thereof to him or them made upon oath, to levy as well the expense of taking down such dwelling-houses, buildings, hedges, fences and drains, and filling up the ditches and drains aforesaid, as the penalty hereby imposed by distress and sale of the offenders' goods and chattels, rendering the overplus (if any) to the Owner on demand.

93. Commissioners or their officer may remove any windmills One hundred Feet from centre of the Road;

And be it further Enacted, That it shall be lawful for the said Commissioners or their Surveyor or Surveyors and such person or persons as they shall appoint from time to time for such purpose, to pull down and remove any windmill or windmills which shall after the *First* day of *January One thousand eight hundred and Thirty-seven* be erected within *One hundred* Feet of the centre of any part of the said Roads respectively, and to pull down and fill up and level any wall, drain or ditch which shall be built or made upon any or any part of the said Roads, or within *Thirty* Feet of the centre of

and remove any forest tree;

the said Roads respectively, and to cut down and remove any forest tree which shall be set or planted within *Fifty* Feet of the centre of the said Roads respectively, and take up any way or passage from the said respective Roads into any field or land adjoining, which may obstruct the free passage of water, and to re-make the same by building a gutter or sewer or arch therein, at a sufficient depth;

and remedy all obstructions on said Roads;

and to scour and clean away all obstructions which may happen to be made in any drain for carrying away water from the Roads respectively, or for preventing injury to the same, and to remove and prevent all annoyances by timber, stone, carriage, cars, hovels, lime, mortar, filth, dung, ashes, rubbish, straw or other things being laid on any or any part of the said Roads, or upon any open common or waste land within

may remove all nuisances, if owners neglect to do so within Twenty-four Hours.

Fifty

Fifty Feet of the centre thereof respectively, and to dispose of the same for the benefit of the said respective Roads, in case the owners thereof shall neglect to remove the same within *Twenty-four* Hours after notice in writing signed by the said Commissioners or their Surveyor or other Officer authorized by them for such purposes, or given to such owner, or left at his last or usual place of residence for that purpose, or in case the owner is not known, then after a like notice affixed for *Three* Days to the nearest Turnpike Gate, or in some conspicuous place in the neighbourhood of such part of such Road, and to turn any watercourse, sinks or drains running along, into or out of the said Roads respectively to the prejudice thereof, and to open, scour, cleanse, widen or make deeper any watercourses or ditches adjoining or near thereto, and to make the same as deep and as large as he or they shall think necessary, and cut down or lop any branches, shrubs or bushes growing on or over the said Roads respectively, or in the hedges or banks adjacent thereto respectively, at proper seasons of the year, and to take and carry away the same, and to cut and reduce such hedges to the height of *Eight* Feet, in case the owners or occupiers of the premises shall for the space of *Seven* Days next after notice in writing given for that purpose by such Commissioners, Surveyor or Surveyors, or other Officer or Officers, neglect to lop, top, cut down or remove such branches, shrubs or bushes, or to open, scour, cleanse, widen or deepen such watercourses or ditches, in such manner as the said Commissioners or their Surveyor or Surveyors shall require; and the charges thereof, and of removing any of the annoyances aforesaid, to be settled by any one or more of His Majesty's Justices of the Peace for the county or city where such part of the Road shall be, shall be reimbursed to the said Commissioners or their Surveyor or either of their Officers by such owners or occupiers, and be recovered and applied in such manner as the penalties and forfeitures imposed by this Act are hereinafter directed to be recovered and applied; and if after the removal of any of the said annoyances any person shall again offend in like manner, every such person shall for every such offence forfeit and pay any sum not exceeding *Five* Pounds.

Cut down or lop any branches.

Reduce hedges.

Charges of removing such annoyances may be recovered by Commissioners.

94. If any ass, swine, &c. be found tethered on said Roads, they may be impounded.

And be it further Enacted, That if any horse, ass, sheep, swine or other beast or cattle of any kind, shall at any time be found tethered or wandering, straying or lying about the said Roads, or any part thereof (except in such parts as pass through or over any common or waste or uninclosed grounds) it shall be lawful for the Surveyor or any other person or persons whomsoever, to seize and impound every such horse, ass, sheep, swine or other beast or cattle in the common Pound of the parish, townland or place where the same shall be found, or in such other place as the said Commissioners, or any person appointed by them for such purposes, shall provide for that

and may be detained till the owners pay the sum of Two Shillings, together with costs;

purpose, and the said beasts there to detain until the owner or owners thereof shall, for every such horse, ass, sheep, swine or other beast or cattle so impounded, pay the sum of *Two* Shillings, together with the reasonable charges and expenses of impounding and keeping the same, to the said Commissioners or their Surveyor or other officer appointed for such purpose, to be by the said Commissioners applied to the use of, and in aid of the Tolls of the said Road; and in case the said penalty, charges and expenses shall not be paid within *Five* Days after such impounding, notice thereof having been first given to the Owner, if known at the time, or if not known, by affixing written notices on the *Two* next Toll-gates, or on some conspicuous place on the Road nearest the place where the same shall be impounded, it shall be lawful for any *Two* or more Justices of the Peace of the county or city where the offence shall have been committed, to order any such horse, ass, sheep, swine or other beast or cattle to be sold, except where it shall be made to appear to such Justice or Justices that the horse, ass, sheep, swine or other beast or cattle impounded had escaped from any inclosure by any gate or fence wilfully or negligently left open or destroyed by any person not being owner or occupier of such inclosure, or employed by such Owner or Occupier, in which case such Justice or Justices may remit the penalty; and the money arising from such sale, after deducting the said penalty and the charges and expenses of impounding, keeping and selling every such horse, ass, sheep, swine or other beast or cattle, shall be paid to the person whose property the same so sold shall appear to have been; and in case the owner thereof shall not be known, and no application shall be made for the money arising from such sale within *Twenty-one* Days after such sale shall have taken place, the said money shall be applied, after deducting the said charges and expenses, in the same manner as the said penalty of *Two* Shillings hereinbefore directed to be applied: Provided always, That no Owners of any horses, asses, sheep, swine or other beasts or cattle impounded as aforesaid, shall in any case pay more than the sum of *Five* Pounds over and above the charges and expenses of impounding and keeping the same, for any number of horses, asses, sheep, swine or other beasts or cattle impounded at one time.

such to be applied to use of Tolls of said Roads.

If expenses not paid within Five Days,

it may be lawful for Two Justices of the Peace after notice, to order such beast to be sold;

if found broken to let the beast escape.

Overplus to be paid to owner;

but if not called for within Twenty-one Days, to go to purposes of Tolls.

No owner to pay more than Five Pounds.

95. Any person releasing or endeavouring to release any beast impounded, or shall damage pound,

And be it further Enacted, That in case any person or persons shall rescue or release, or attempt to release any cow, horse, ass, swine or other beast or cattle which shall be seized for the purpose of being impounded under the authority of this Act, from the Pound or place where the same shall be so impounded, or shall pull down, damage or destroy the same Pound or place, or any part thereof, or any lock or bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release any distress or levy which shall be made under the authority of this Act, until or before such cow, horse, ass, swine

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swine or other live stock or cattle seized or so impounded, or such distress or levy so made shall be discharged by due course of law, every person so offending shall, upon conviction thereof before any *One* or more of His Majesty's Justices of the Peace for the county, city or place where the offence shall have been committed, either upon the confession of the parties or party offending, or upon the oath of *One* or more credible witness or witnesses, and which oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by warrant under his hand and seal, to the common Gaol or House of Correction of the county wherein the said offence shall have been committed, there to remain without bail or mainprize, and to be kept at hard labour for any time not exceeding *Three* Months.

shall upon conviction be committed to the common Gaol or House of Correction for Three Months.

96.
Roads to be measured and mile-stones put up.

And be it further Enacted, That the said Commissioners shall cause the said Roads respectively to be measured, and stones or posts to be set up in or near the sides of the same, at the distance of *One* Mile from each other, with inscriptions thereon denoting the number of miles and distance of place, as they shall think proper, and also such and so many direction posts as they shall judge necessary or proper.

97.
All lanes, ways, &c. rendered useless by such Roads to stop up.

AND whereas the repairing, altering and improving of the said Roads respectively will render useless and unnecessary certain lanes, ways or footpaths; BE it therefore Enacted, That it shall be lawful for the said Commissioners and they are hereby authorized, by order under their hands, to stop up and discontinue at the expiration of *Four* Months after the date of such order, any of such lanes, ways, or footpaths which may become useless or unnecessary in consequence of repairing, altering and improving the said Roads or any of them, and the same shall, at the expiration of such *Four* calendar Months respectively, cease to be common highways to all intents and purposes whatsoever: Provided always, That notice in writing of such order having been made as aforesaid shall be affixed on the door of the church of the parish in which the said lanes, ways or footpaths shall be for *Three* Sundays next after the making such order, and also inserted in some Newspaper usually circulated in the county or city or place wherein such lane, way or footpath shall be situate, for the purpose of enabling any person who may be aggrieved by making such order to appeal against the same as hereinafter provided.

Notice first given.

98.
No person may turn Watercourses, &c. upon said Roads without first having made sufficient drains;

AND whereas great inconvenience has arisen, and the public have been much endangered by water from mill-courses or drains having been turned upon parts of the said respective Roads from whence there have not been sufficient passages to carry off such water; BE it therefore further Enacted, That any person who shall turn up or make a way for such water to go upon any part of the said respective Roads or any of them, or shall turn any such water into the trenches by the side

side of any part of the said Roads without such person or some other person or persons having first made sufficient drain or drains to carry off such water, so that such water shall not injure any part of the said Roads; or if any person or persons whomsoever shall wilfully pull up, injure or damage any of the posts, boards, milestones, or tables of tolls or regulations, or wilfully or designedly deface or obliterate any of the inscriptions, letters, figures or marks thereon, or shall wilfully break, throw down or otherwise damage any lamp-post or lamp-iron continued, set up or affixed by order of the said Commissioners at or near any of the said turnpike gates, or in any other parts of the said respective Roads, or shall cause and procure the same to be done; or if any person or persons, in attempting to evade the payment of any of the aforesaid Tolls, or on any other occasion, shall pull up, pull down, displace or damage any hedge, wall, bank, ditch, gate or stile, or cause the same to be done; or if any person or persons shall wilfully pull up, remove, injure or damage any other posts, rails or fences now or at any time hereafter to be placed or put by order of the said Commissioners or their Surveyor or Surveyors, or other officer or officers, either by the side or sides of the said Roads respectively, or at or near to any pit or quarry which shall be used, opened or made for the getting of stones, gravel or other materials for the purposes of this Act, in order to prevent accidents or to protect and preserve any hedge or quickset, or any part or parts thereof, which the said Commissioners shall or may make or plant for the purposes of this Act, or which by virtue of this Act they are authorized to keep in good order; or if any person or persons shall wilfully root up, cut, destroy or damage any such hedge or quickset, or any part or parts thereof, or shall wilfully break, throw down or injure any of the stones or parapet walls on the sides of any of the bridges or arches, or otherwise damage any of the bridges or arches or sewers now or hereafter to be erected or made along the said Roads respectively, or any of them; or shall build any house or part of a house within *Forty-five* Feet of the centre of any part of the said respective Roads; or shall build any wall or make any ditch within *Thirty-five* Feet of the centre of any part of the said respective Roads, or shall build any windmill within *One hundred* Yards of any part of the said Roads, or shall remove any of the materials which shall have been used for filling up any ditch or any part of any ditch; or shall destroy or take down any part of the backs or banks which are or shall be raised between any part of the said Roads, and the drains and trenches on the sides of the said Roads respectively, or shall make or have any way or passage from the said Roads respectively, or any of them, into the lands adjoining, without placing a gutter or arch underneath such way or passage as deep as the drain or ditch over which it is or shall be made, and of breadth and height sufficient to allow all water which may at any time be therein full room to pass;

or if any person shall pull up or damage any posts, boards, milestones, &c.,

or lamp post;

or injure any wall, hedge, &c., or any rails, fences, posts;

or any of the bridges, arches, sewers;

or build any house within Forty-five Feet of centre;

or shall build any wall;

or injure the banks of the trenches;

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pass; or shall burn, or permit or suffer to be burned on his or her lands, bricks, lime or weeds, or vegetable substance for ashes, within *One hundred* Feet of the centre of the said Roads respectively; or if any person shall keep or have in his or her possession any cur, dog, mastiff or bull-dog at any house within *Fifty* Yards of the said Roads respectively, without a block of wood of *Five* Pounds weight at the least fastened to the neck of every such dog; or shall winnow or lay out for winnowing any corn on the said Roads, or within *Fifty* Feet of the centre of the said Roads respectively; or shall haul or draw, or cause to be hauled or drawn upon any or any part of the said Roads, any tree or piece of timber or any stone otherwise than upon wheel carriages, or shall suffer any tree or piece of timber or any stone which shall be conveyed upon a wheel carriage or wheel carriages to drag upon any or any parts of such Roads, to the prejudice thereof; or shall, without being thereto authorized by said Commissioners, or their Surveyor or Surveyors, or other officer or officers for the time being, shovel up, scrape, gather or carry away stones, gravel, sand or other materials, slush, mire, dirt, drift or soil from off any footway or causeway being part of or adjoining to the said Roads, or from or off any other part or parts of the said Roads respectively; or if any person or persons shall ride upon or wilfully drive any waggon, cart or other carriage upon, along or against any such footway or causeway, or any other way or ways already made or to be made upon the said Roads respectively for the use of foot passengers, or shall wilfully lead, ride or drive any horse or other cattle, sheep or any swine, or any cart or carriage thereon, or shall wilfully or carelessly cause any damage to be done to such footway or causeway; or if any person or persons driving any pigs or swine upon the said roads respectively shall suffer the swine to root up or damage the said Roads, or any of them, or any part thereof, or the fences, hedges, banks or copse upon either side thereof; or if any person or persons shall wheel any heavy truck or wheelbarrow on any foot or causeway adjoining to the said Roads respectively, or shall in or upon any or any parts of the said Roads by the side or sides thereof, or in any exposed situation near thereto, kill, slaughter, singe, scald, dress or cut up any beast, sheep, swine, calf, lamb or other cattle, or cause or permit any blood to run from any slaughter-house, buildings, butchers' shops or shambles into the said Roads respectively, or shall keep, fire, cleanse, wash or scald any cask or casks, or bind any wheels on any or any parts of the said Roads, or in any exposed situations near thereto, or shall hew, saw or cut, or cause to be hewn, sawn or cut any stone, wood or timber, or shall shoe, farry or bleed any horse, mule or ass, except in the case of accidents, upon any parts of the said Roads; or if the driver of any waggon, cart, dray, sledge or other carriage used for the carrying of goods and merchandize, shall ride on the shafts or any other part of such waggon, cart, dray, sledge or other

or keep a cur-dog, mastiff or bull-dog within Fifty Yards unmuzzled;

or if any one shall winnow,

or draw stone or timber other than on wheel carriages;

or gather any stones or gravel from any footway;

or drive carriage or ride upon such footway;

or cause any damage to be done;

or suffer any pigs, &c. to root up or damage;

or wheel any heavy truck or wheelbarrow;

or kill or slaughter, singe or scald any beasts near said Roads;

or hew or saw stones;
or bleed any horse, ass, &c.

If driver of any waggon, horse, mule, &c. shall ride on shafts,

carriage without having reins to guide the horse or horses, beast or beasts drawing the same, or on any part of the horses drawing the same, upon any or any parts of the said Roads; or if any person on horseback, or driving any coach, chaise, waggon, cart or other carriage upon the said Roads, or any of them, and meeting another coach, chaise, waggon, cart or other carriage, or person on horseback, shall not keep his horse or carriage on his left or near side of the said Road; or if any person shall in any manner wilfully prevent any other person or persons from passing him upon the said Roads, on the coach, chaise, waggon, cart or other carriage under his care; or if any person or persons shall make or assist in making any fires or fire, commonly called bonfires, or shall set fire to, or let or throw any squib, rocket, serpent or other fireworks whatsoever upon the said Roads or any of them, or within *Eighty* Feet of the centre thereof, or play at foot-ball, hand-ball, boulds or any other game, or fly any paper kite or kites upon any or any part or parts of the said Roads to the annoyance of any passengers or passenger; or if any higgler, hawker, pedlar, tinker or other person travelling with any machine, vehicle, cart or other carriage, or with or without any horse, mule or ass shall pitch any tent, or encamp upon or by the sides of any or any part of the said Roads; or if any blacksmith or any other person occupying a blacksmith's shop, having windows to the front of the said Roads, shall not by good and close shutters every evening after it becomes twilight, bar and prevent the light from such shop shining into such Road; or if any person shall carry any rods or bars of iron, beams of wood, baskets, panniers or other matter or thing across the back of any horse, mule or ass passing along any of the said Roads, so that the same or any of them shall project beyond the distance of *Thirty* Inches on either side of such horse, mule or ass; or if any person shall leave any waggon, wain, cart or other such carriage longer than may be necessary for loading or unloading the same, in, upon or on the side of every or any part of the said Roads, either with or without any horse or beast of draught harnessed or yoked thereto, or in case the same shall not during such time be placed as near to the side of the said Road as conveniently may be; or if any person shall, after having blocked or stopped any waggon, wain, cart or other carriage in going up a hill or rising ground, leave, or suffer to be or remain on any of the said Roads or any part thereof, the stone or other thing with which any such waggon, wain, cart or other carriage shall have been blocked or stopped; or if the driver of any waggon, wain, cart or other carriage shall wilfully or carelessly pull up, break or damage any posts or stones erected or to be erected for the security of any footway or causeway on or adjoining to any of the said Roads, or shall wilfully or carelessly drive the wheel of any carriage against the same, or shall lay any piece of timber, packs of wool, or anystones, hay, straw, turf, dung, manure, soil, ashes, filth, rubbish or any other matter or thing

drivers to go on left hand side;

or make bonfires or squibs, rockets, &c.;

play at foot-ball, fly kites.

If pedlar pitch tent;

if blacksmith keep a window to front of said Road, and have it not blinded every eve after twilight;

or carry any rods or bars of iron;

leave a loaded waggon or car on side of Road,

or suffer such to remain;

or if driver injure any posts;

or drive the wheel of the carriage on footway;

or carry any nuisance;

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thing whatsoever, or any or any part of the said Roads, or on the side or sides thereof, to the prejudice, annoyance or interruption of persons travelling or passing thereon, or if any person or persons shall break down or injure any footpath, or ride, lead or drive any horse or other beast, or any part of any footpath, or otherwise wilfully hinder, obstruct or prevent the free passage on any of the said footpaths, or injure any horseblock or any other thing which shall be made, erected or put upon any or any part of the said Roads for the use of the said Road or for the convenience of travellers, or shall lay or place on the walls or fences of any of the said Roads, or on the sides thereof, for any purpose whatsoever, any wool, woollen or cotton cloth, warp or linen, or winnow cloth, or shall beat or dry any flax, every such person shall forfeit and pay over and above the damage (if any) occasioned, any sum not exceeding *Five* Pounds for every such offence, to be levied, recovered and applied in the same manner as other penalties are by this Act directed to be levied, recovered and applied; and such offender shall also pay to the said Commissioners, or to the person or persons respectively authorized for such purpose, such sum of money as shall be a full satisfaction for the damage so done, which shall be settled for and ascertained by the Justice or Justices of the Peace by or before whom such offender shall be convicted of any of the offences aforesaid, and shall and may be levied and recovered in like manner as other penalties or forfeitures imposed by this Act may be recovered, and shall be applied for the purpose of this Act.

or lay on wall or fences any wool, cloth, &c.

every such person to pay 5 *l.*

99.
All nuisance is forfeited.

And be it further Enacted, That all turf, dung, dirt, straw, rubbish, stones, gravel, sand or lime which shall be laid on any of the said Roads, shall be and is hereby declared to be forfeited to the said Commissioners, and to be their sole property, and shall be sold by them or by their order for the use of such Road, or otherwise disposed of as they shall think fit.

100.
Any persons obstructing the Commissioners or their officers to carry this Act into execution shall forfeit 5 *l.*

And be it further Enacted, That if any person shall obstruct, hinder or molest any of the said Commissioners or any Collectors of Tolls or Assessment, Clerk Surveyor, Superintendent Surveyor, Workman or other Officer or Officers of the said Commissioners, or other person or persons whomsoever, who is or are employed in carrying this Act into execution in the performance of his or their duty, or of any of the matters or things to be done by virtue or in pursuance thereof, every such person so offending shall for every such offence forfeit and pay any sum not exceeding *Five* Pounds.

101.
Any unknown persons may be detained.

AND whereas persons guilty of offences against this Act may be transient persons unknown to the Collectors, Surveyors or other Officers of the Commissioners under this Act; BE it further Enacted, That it shall and may be lawful to and for the said Commissioners, and to and for any of the Collectors, Surveyors, Officers or persons

authorized by the said Commissioners respectively, or their assistants, to seize and detain any such unknown person or persons guilty of any offence against this Act, and forthwith to convey him, her or them before *One* or more Justice or Justices of the Peace for the county, city or place where any such offence or offences shall be committed, without any other warrant or authority than this Act for so doing.

102. Amount of damages to be ascertained by Justice of the Peace.

And be it further Enacted, That where by this Act any damages or charges are directed or authorized to be paid or recovered in addition to any penalty or penalties for any offence, or offences, the amount of such damages and charges, in case of dispute respecting the same, shall be settled and ascertained and determined by the Justice or Justices of the Peace by or before whom any offender shall be convicted of any such offence or offences, who is hereby authorized and required, on non-payment thereof, to levy such damages or charges by distress and sale of the offender's goods and chattels in manner directed by this Act for the levying of any penalties or forfeitures.

103. All fines, penalties, &c. adjudged to be payable with costs by distress and sale of offender's goods.

And be it further Enacted, That all penalties, forfeitures and fines hereby inflicted or authorized to be imposed (the manner of levying, recovering and applying whereof is not otherwise directed) shall, upon proof of the offences respectively before any Justice or Justices of the Peace for the county, city or place wherein the same shall be committed, either by the confession of the party offending or by the oath of any credible witness or witnesses, be levied, together with the costs attending the information and conviction, by distress and sale of the goods and chattels of the party or parties offending, by warrant under the hand and seal of such Justice, and the overplus, if any, after such penalties, forfeitures and fines respectively, when paid and levied (if not otherwise directed to be applied by this Act), shall be from time to time paid, one *moiety* to the Informer, and the other *moiety* to the said Commissioners or their Officer or Officers to be appointed for such purpose, to be applied for the purposes of the said Roads respectively; and in case such penalties, forfeitures and fines respectively shall not be paid forthwith upon conviction, then it shall and may be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe custody until return can be conveniently made of such warrant or warrants of distress, unless the said Offender or Offenders shall give sufficient security to the satisfaction of such Justice or Justices for his or their appearances before him or them on such day or days as shall be appointed for the return of such warrant or warrants of distress, such day or days not being more than *Fourteen* Days from the time of taking any such security; and such security such Justice or Justices is and are hereby empowered to take by way of recognizance or otherwise as to him or them shall seem right or proper; but if upon return of such warrant or warrants it shall appear that no sufficient distress can be had thereupon, or in case it shall

One moiety to the Informer.

If fines not paid immediately or offender give security;

which Justices empowered to take

If offender have not goods sufficient,

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shall appear to the satisfaction of such Justice or Justices, either by the confession of the Offender or Offenders or otherwise, that he, she or they hath not nor have goods and chattels within the jurisdiction of such Justice or Justices sufficient whereon to levy all such penalties and forfeitures, costs and charges, such Justice or Justices may at his or their discretion, without issuing any warrant of distress, commit the Offender or Offenders to the common Gaol of the said county, city or place, or to any House of Correction within the same, there to remain without bail or mainprize for any time not exceeding *Three* calendar Months, nor less than *Ten* Days, unless such penalties, forfeitures and fines, and all reasonable charges attending the recovery thereof, shall be sooner paid and satisfied.

Offender to be committed to Gaol.

104. Justices empowered to summon and try offences;

And be it further Enacted, That in all cases in which any penalty or forfeiture is made recoverable by information before a Justice of the Peace, it shall and may be lawful for any Justice of the Peace to whom complaint shall be made of any offence against this Act, to summon the party complained against before him, and on such summons to hear and determine the matter of such complaint, and on proof of the offence, to convict the Offender, and to adjuge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing shall have been exhibited or taken by or before such Justices; and all such proceedings by summons without information shall be as good, valid and effectual to all intents and purposes as if an information in writing was exhibited.

and adjudge the fine.

105. Conviction of Offenders.

AND for the more easy and speedy conviction of Offenders against this Act; BE it further Enacted, That all and every Justice and Justices of the Peace before whom any person shall be convicted of any offence against this Act, shall and may cause the conviction to be drawn up in the following form of words, or in any other form of words to the same effect; (videlicet)

Form of Conviction.

to wit. } "BE it Remembered, That on the day of in the year of our Lord A. B. is convicted before me, C. D. [or, before us, C. D. and E. F.] *One* [or *Two*, as the case may be] of His Majesty's Justices of the Peace for the county [here specify the offence, and when and where committed] contrary to the Act passed in the year of the reign of King WILLIAM the Fourth, intituled, [here insert the title of this Act,] for which offence I, [or, we] adjudge the said A. B. to have forfeited the sum of Pounds. Given under my hand and seal [or, our hands and seals] the day and year first above written."

106. Appeal from decision of Justices to Quarter Sessions;

Provided always, and be it further Enacted, That if any person shall think himself aggrieved by any thing done by any *One* or more Justices of the Peace in pursuance of this Act, such person may

appeal to the Justices of the Peace at the first General or Quarter Sessions of the Peace to be holden for the county or place within which the matter shall arise, *Three* calendar Months from the time such matter of appeal shall have arisen, the person or persons appealing shall, having first given *Twenty-one* Days' notice at least of his, her or their intention to bring such appeal and the matter thereof to the said Commissioners, or their Collector or Surveyor, or other Officer appointed by them, and within *Four* Days after such notice entering into recognizance before some Justice of the Peace for such county or place, with *Two* sufficient securities, conditioned to try such appeal and abide the order and award of such Court thereon; and such Justices at Sessions, upon the proof of such notices and recognizance having been given and entered into, are hereby authorized and required to hear and determine the matter of such appeal in a summary way, and to make such determination therein, and to award such costs to either of the parties, or otherwise, as they shall think proper; and all such determinations shall be final, binding and conclusive to all parties, to all intents and purposes whatsoever.

entering into recognizances within Four Days.

107.
Any distress not unlawful for want of proper form in the Summons.

And be it further Enacted, That where any Distress shall be made for any sum or sums of money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser on account of the irregularity which shall be afterwards done by the party so distraining; but the person aggrieved by such last-mentioned irregularity shall and may recover full satisfaction for the special damage in an action upon the case.

108.
No verdict or assessment to be quashed for want of form or removal by certiorari.

And be it further Enacted, That no Order, Verdict, Assessment, Judgment or other proceeding made touching or concerning the conviction of any offender against this Act, shall be quashed or vacated for want of form only, or be removed or removable by certiorari, or by any other writ whatever, into His Majesty's Courts of Record in Dublin; any Law or Statute to the contrary thereof in anywise notwithstanding.

109.
Persons giving false evidence liable to such penalties as usual.

And be it further Enacted, That if any person, upon examination on oath, or affirmation before the said Commissioners, or any Justice of the Peace acting in the execution of this Act, shall wilfully and corruptly give false evidence touching any matter or thing relating to this Act, or shall wilfully or corruptly swear or affirm anything which shall be false or untrue, every such person so offending and being duly convicted thereof, shall be and is hereby declared to be subject to such pains and penalties as by any law in force and effect persons guilty of wilful and corrupt *Perjury* are liable to.

110.
43 Geo. 3, c. 28; 55 Geo. 3, c. 103; Tolls payable by

AND whereas by an Act made in the forty-third year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for granting

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granting to His Majesty certain Rates and Duties upon Letters and Packets sent by the Post within Ireland;" and by one other Act made in the fifty-ninth year of the reign of the same King, intituled, "An Act made to amend several Acts relating to the Post Office and Conveyance of Letters in Ireland," it is enacted, that the Postmaster or Postmasters General of Ireland shall cause certain accounts of certain Tolls, therein respectively mentioned, to be kept in the manner therein also mentioned, and shall cause the amount the of to be paid to the treasurer of turnpike gates or bars, at the times and in the manner in the said recited Acts respectively meutioned; BE it therefore Enacted, That all and every Toll or Tolls due and payable by virtue of this Act, or of said recited Acts, or of either of them, or of any other Act in force in Ireland, to the said Commissioners, or the Trustee or Treasurers or Directors of any turnpike gates or bars erected or to be erected on any of the Roads placed under the control and management of the Commissioners of this Act, together with all arrears thereof, shall, from and after the *First* day of *January One thousand eight hundred and Thirty-seven*, be vested in, and paid and payable from time to time, and at all times hereafter, to the Commissioners of this Act, at the same times and subject to the like rules and regulations, and by the same persons as the same are now subject to or payable by, and shall and may be respectively applied or disposed of by said Commissioners in like manner and for the like purposes as other tolls or funds arising to or vested in them by virtue of this Act.

above Acts to be vested in Commissioners of this Act.

Subject to like rules and regulations.

111.

Right of collecting Tolls on Road from Dublin to Kilcullen, &c.,

AND whereas by an Act of the thirty-eighth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to explain and reduce into one Act all the several Acts for making, improving and repairing the Turnpike Road leading from the City of Dublin to Kilcullen Bridge, in the County of Kildare, and to the Twenty-first Milestone westward of the said Bridge, and for prolonging the duration of the Act for repairing the Road from Naas to Limerick, and for the further improvement of the Road from Kilworth Mountain to the City of Cork," the whole right of the Tolls to be collected on the Road leading from Dublin to Kilcullen was vested in John Anderson, George Taylor and Alexander Taylor, their executors, administrators and assigns, for the term of Fifty Years from October One thousand seven hundred and Ninety-eight, for the purposes of improving and repairing said Road: AND whereas all the right, title and interest of the said John Anderson, George and Alexander Taylor therein and thereto is now vested in George Taylor, Nicholas D—— Taylor, George Taylor junior, and William Taylor: AND whereas by two other Acts, one made in the fifty-sixth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to alter and enlarge the Powers of several Acts passed in the Parliament of Ireland for repairing and improving the Road leading from the City of

vested in J. Anderson, G. Taylor and A. Taylor, Fifty Years from October 1798.

Interest of above persons now vested in G. Taylor, N. D. Taylor, G. Taylor, jun. and W. Taylor.

of Dublin to Ratoath and Carragha," and the other made in the seventh and eighth years of the reign of his late Majesty GEORGE the Fourth, intituled, " An Act for repairing and improving the Road from Dublin by Ashbourne to Slane and Drogheda," the whole right of the Tolls to be collected on the Roads leading from Dublin to Ratoath and Carragha by Ashbourne to Slane and Drogheda is vested in Frederick Bourne for the term of Twenty-one Years from the Twenty-eighth day of May One thousand eight hundred and Twenty-seven, for the purpose of improving and repairing said Road : AND whereas it is expedient that the Tolls of the said several Roads shall be vested in the said Commissioners, freed from all terms and grants thereof so made to or now vested in the said George and Nicholas D—— Taylor, and George Taylor junior, and William Taylor and Frederick Bourne respectively as aforesaid, or any other person whatever; and that a reasonable compensation should be granted to the aforesaid persons for their respective interests in the said several terms; BE it therefore Enacted, That from and after the *First* day of *January One thousand eight hundred and Thirty-seven*, the Tolls to be collected on the said several Roads leading respectively from Dublin to Kilcullen and Twenty-first Milestone westward of said Bridge, and Dublin to Ratoath, Carragha, and by Ashbourne to Slane and Drogheda, shall be and the same are hereby vested in the said Commissioners, freed and discharged of and from the aforesaid and all other terms and grants thereof, granted or made to or now vested in the aforesaid Messieurs Taylor and Bourne, or any other person whatever, and from all charges and incumbrances affecting the same under the said recited or any other Acts, or by virtue of any deed or instrument, or by operation of law, anything in the said recited Act or any other Acts or any of them to the contrary notwithstanding.

Tolls of the Roads leading from Naas to Limerick, Dublin to Kilcullen and Twenty-first Milestone, Dublin to Ratoath, &c. as in text, vested in Commissioners.

112. If any such persons incapable, same to be inquired by a Jury.

And be it further Enacted, That it shall be lawful for the said Commissioners acting under this Act (by and with the consent and approbation of the Commissioners of His Majesty's Treasury, or any *Three* or more of them, to be first had and obtained), to pay to the said Messieurs Taylor and Bourn respectively, or their respective assignees or representatives, such sums as may be awarded to them respectively by a jury or juries to be impannelled as hereafter mentioned, and for such purpose the said Commissioners shall cause the amount of such compensation to be inquired into and ascertained by a jury of *Twelve* indifferent men of the county of Dublin; and in order thereto, the said Commissioners of this Act having given Days' notice of such inquiry to the person or persons entitled to or claiming to be entitled to such compensation, or in the actual receipt of the said several Tolls hereinbefore mentioned, or to the husband, guardian or committee of any such person so entitled, or in such actual receipt, being a feme covert, an infant or lunatic, or under any other disability or incapacity, are hereby empowered and required from time to time,

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as occasion may require, to summon and call before such Jury and examine upon oath all and every such person and persons whomsoever, who shall be thought necessary and proper to be examined concerning the premises, which oath any *One* or more of the said Commissioners of this Act are hereby empowered to administer; and after the said Jury shall have inquired of and assessed the amount of such compensation, they the said Commissioners of this Act shall thereupon order the sum or sums of money so assessed and ascertained by the said Jury to be paid to the persons entitled thereto, according to their respective interests, and according to the verdict or inquisition of such Jury; and such verdict and judgment, order and determination shall be final, binding and conclusive, to all intents and purposes, as between the said Commissioners of this Act and all other persons whatsoever.

113. Commissioners for such Jury to issue their warrant to Sheriff.

And be it further Enacted, That for summoning and returning such Juries, the said Commissioners are hereby empowered to issue their warrant or warrants to the Sheriff or Under-Sheriff of the county of Dublin, commanding him to impannel, summon and return an indifferent Jury of *Thirty-six* persons, qualified or usually impannelled to serve on special juries, to appear before *One* or more of said Commissioners, at such time and place as in such warrant or warrants shall be appointed, and to attend from day to day until duly discharged; and such Sheriff or his deputy is and are hereby required to impannel, summon and return such number of persons accordingly, and out of the persons so impannelled, summoned and returned, or out of such of them as shall appear upon such summons, *One* or more of said Commissioners is and are hereby empowered and required to swear and cause to be sworn *Twelve* men, who shall be a Jury for the purpose aforesaid, and in default of a sufficient number of jurymen, the said Sheriff or his deputy shall be required by such *One* or more of said Commissioners as aforesaid, to return other honest and indifferent men of the standers by, or that can be speedily procured to attend that service to the number of *Twelve*, or the said Commissioners or Commissioner may and are hereby authorized, at his or their discretion to adjourn the proceedings to such other time as he or they shall think fit: Provided always, That all persons concerned shall have their lawful challenges against any of the Jurymen to be summoned in pursuance of this Act, in such and the like manner as any party in any action depending in any of His Majesty's Courts of Record in Dublin is or shall be by law entitled to; and the said Commissioner or Commissioners acting in the premises is and are hereby empowered from time to time to impose any reasonable fine or fines upon the Sheriff or his deputy, agent or agents, making default in the premises, and on any other persons that shall be summoned and returned on such Jury, and who without sufficient excuse shall not appear, or appearing

Sheriff required to impannel Juries.

Persons concerned to have their challenges.

Commissioners may impose a fine on Sheriff for making default.

Persons summoned not acting may be fined.

ing shall refuse to be sworn on the said Jury, or being sworn shall refuse to give their verdict, or in any other manner wilfully neglect their duty therein contrary to the true intent and meaning of this Act, and on any of the persons who, being required to give evidence before the said Jury, without sufficient excuse, refuse or neglect to appear, or appearing shall refuse to be sworn and examined or to give evidence, so that no fine be more than *One hundred* Pounds on any such Sheriff, deputy, bailiff or agent, or any other person for one offence.

114. Person entitled, if disabled, to receive compensation, to be paid into Bank of Ireland.

And be it further Enacted, That in case any of the persons entitled to the amount of such compensation shall, at the time of payment thereof, be an infant or lunatic, or under any disability or incapacity, such monies shall, with all convenient speed, be paid into the Bank of Ireland, in the name and with the privity of the Accountant-General of the Court of Chancery of Ireland, to be placed to his account there ex parte the said Commissioners, to the intent that such money shall be applied under the direction and with the approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary manner by the person or persons who would be entitled to the said Tolls in lieu of which such compensation shall be granted as aforesaid; or where such money shall not be applied, then the same shall be laid out and invested under and with the like direction and approbation of the said Court by the said Accountant General, in his name, in the purchase of Government Securities; and in the mean time and until the said Government Securities shall be ordered by the said Court to be sold for the purpose aforesaid, the dividends or interest and annual produce of the said Government Securities shall from time to time be paid by order of the said Court to the person or persons who would be entitled to the said Tolls for which such compensation shall be given or paid as aforesaid, in such manner as the said Court shall think fit.

115. Persons claiming compensation must produce all books, &c.,

And be it further Enacted, That in every case in which any such compensation shall be claimed by or payable to any person or persons whatsoever, it shall and may be lawful for the said Commissioners or Jury to require such person or persons to produce to the said Commissioners, or before any Jury so impannelled as aforesaid, all such books, vouchers and accounts relating to such Tolls, and to the sums expended on such Roads respectively, as shall be in the hands, power or possession of such person or persons; and in case any such person shall neglect or refuse to produce such books, vouchers and accounts as and when required, it shall be lawful for said Commissioners to postpone all further inquiry as to the amount of compensation to be paid by such person or persons so refusing to produce the same, and to withhold the payment thereof until such books, vouchers and accounts shall be produced.

otherwise Commissioners may postpone all inquiry.

AND

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116.

AND whereas by an Act made in the fiftieth year of his late Majesty King GEORGE the Third, intituled, "An Act to amend so much of an Act made in the Parliament of Ireland in the twenty-sixth year of his present Majesty, for making and repairing Public Roads in the County of Dublin, as relates to the Roads within the Barony of Rathdown," it is amongst other things enacted, that it may be lawful for the Grand Jury of the county of Dublin at the times and in the manner therein mentioned, to present to be raised upon the several houses in said barony of Rathdowne any sum or sums not exceeding *One* Shilling for every pound sterling of the value thereof, to be ascertained and applied in the manner therein mentioned: AND whereas by an Act passed in the fifty-first year of his late Majesty King GEORGE the Third, and intituled, "An Act to amend an Act made in the Parliament of Ireland in the twenty-sixth year of his present Majesty, for making and repairing Public Roads in the County of Dublin, with respect to the Roads within those parts of the Baronies of Upper Cross and Newcastle which are situate on the south-east side of the great Turnpike Road leading from Dublin to Cork by Rathcoole and Naas," it is among other thing enacted, that it may be lawful for the Grand Jury of the county of Dublin at the times and in the manner therein mentioned, to present to be raised upon the several houses in said baronies of Newcastle and Upper Cross respectively, which are situate on the left or south-east side of the great Turnpike Road, now leading from Dublin to Cork by Rathcoole and Naas, save as thereinafter mentioned, any sum or sums not exceeding *One* Shilling for every pound sterling of the yearly value thereof, to be ascertained and applied in the manner therein directed: AND whereas it is expedient that the partial assessment authorized by the said recited Acts should cease and determine, and that all houses and lands situate within the county and the county of the city of Dublin (save as hereinafter excepted) should be subject to be assessed by one general assessment or rate for the repairing, altering and amending the several Roads within the limits of the said county and county of the said city; BE it therefore Enacted, That so much of the said recited Acts of fiftieth of GEORGE the Third, and fifty-first of GEORGE the Third, as relate to presenting by the Grand Jury of the county of Dublin of any sum or sums upon houses in the said baronies of Rathdowne, Newcastle and Upper Cross, shall be and is and are, from and after the *First* day of *January One thousand eight hundred and Thirty-seven*, hereby repealed, and declared to be null and void, save and except as to the recovery and application of any penalty for any offence which shall have been committed previous to the said *First* day of *January*, and also save and except as to the levying, recovery and application of any sum or sums of money theretofore presented by the said Grand Jury, pursuant to the provisions of the said recited Acts or any of them, and now in arrear and unpaid.

50 G. 3. c. 60.

51 G. 3. c. 36.

Provision respecting provision as to repairing Circular Road.

117.
Commissioners may assess houses and lands in the county of Dublin and county of the city of Dublin.

AND in order that the inhabitants and occupiers of houses and lands situate within the county of Dublin, or the county of the city of Dublin, may bear a part of the general expenses incurred in carrying the purposes of this Act into execution, proportionate to the benefit they will derive from the abolition of all Turnpike Tolls within the said county of Dublin and county of the city of Dublin, save and except the Tolls payable on and in respect of stage-coaches and other carriages conveying passengers or goods for hire, and from the watching and lighting of certain parts of the Roads in such counties; BE it further Enacted, That the said Commissioners shall, on the *first Monday* in the month of *February One thousand eight hundred and Thirty-seven*, and on the *first Monday* in the month of *February* in every succeeding year, or within *Thirty* Days then next after, make a rate or assessment, by way of pound rate, not exceeding in the pound, upon all persons who shall inhabit, hold, use, possess, occupy or enjoy any houses, shops, warehouses, coachhouses, stables or other buildings, situate within the limits of the county of Dublin, or county of the city of Dublin, of the yearly value of *Twenty* Pounds or upwards, according to the annual value of such houses, shops, warehouses, coachhouses, stables or other buildings, and also an acreable rate or assessment, not exceeding for every statute acre, upon the several occupiers of all lands within the said county, or county of said city, save as hereinafter excepted, which shall be situate within the distance of *Five* statute Miles from the General Post Office of the city of Dublin; and also an acreable rate or assessment, not exceeding for every statute acre, upon the several occupiers of all lands within the said county, or county of said city (save as hereinafter excepted), which shall be situate at any greater distance than *Five* statute Miles from the said General Post Office: Provided always, That no lands shall be so assessed adjoining or contiguous to any house rated as aforesaid, and which shall be in the occupation of the occupier of such house, unless the same shall exceed *Five* statute Acres; and the rates and assessments to be so made as aforesaid shall be payable half-yearly, by two equal payments, one on the and the other on the in every year, and shall be collected, levied and recovered in manner hereinafter mentioned.

118.
Power to appoint Assessors.

AND the better to enable the said Commissioners to make such rate and assessments as hereinbefore are mentioned; BE it further Enacted, That it shall be lawful for the said Commissioners, if they shall think proper so to do, by warrant under the hand of the said Commissioners, or any *Two* of them, to nominate and appoint *Two* or more substantial inhabitants or householders in each parish in which any building or other premises or lands liable to the said rates or assessments shall be situate, to be Assessors for the purposes hereinafter mentioned, and to pay

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pay such sum or sums to such Assessors respectively, as compensation for their services, as to the said Commissioners shall appear reasonable, out of the funds arising to such Commissioners under the provisions of this Act; and such Assessors shall, within *Twenty-one* Days after they shall be served with their warrants of appointment, either by the same being delivered to them, or left for them at their usual places of abode, make, sign and return to the said Commissioners such rates or assessments for their respective parishes as the said Commissioners are hereby empowered to raise, in which rates or assessments there shall be specified and set down in different columns the names of the respective inhabitants or occupiers of premises or lands liable to the rate, the annual rents or values of their respective premises, and the amount of the rate charged on each of the said inhabitants or occupiers; and when the premises shall be unoccupied, the annual value of the premises to be let, and the rates and assessments to be so returned by the said Assessors, may be adopted or not by the said Commissioners as they the said Commissioners shall in their discretion think proper, and if adopted, may be adopted with any alterations which the said Commissioners may think proper: Provided always, That no building shall be so rated or returned which is not of the yearly value of *Twenty* Pounds.

119. Penalty on Assessor refusing to act.

And be it further Enacted, That in case any person so appointed Assessor shall refuse or neglect to take upon him the said office of Assessor without sufficient excuse (to be allowed by the said Commissioners), or shall be negligent in the execution of his duty, he shall forfeit and pay for every such offence the sum of *Five* Pounds; and in case of such neglect or refusal, or if any person so to be appointed Assessor as aforesaid shall show to the said Commissioner such excuse as they shall judge sufficient for his discharge from such office of Assessor, or shall after being so appointed become incapable of executing such office, then and in either of the said cases it shall be lawful for the said Commissioners, by warrant under their hands, to nominate and appoint some other person qualified as aforesaid, of the parish or union for which such person so neglecting, refusing, becoming incapable or being excused or discharged as aforesaid was appointed Assessor, to be Assessor for such parish or union, in the room, place and stead of such person so neglecting, refusing, becoming incapable, or being excused or discharged as aforesaid; and every person so appointed shall immediately enter upon and execute the said office of Assessor, and shall be subject and liable to the like penalties, orders and rules in every respect, as if he had been originally appointed Assessor as aforesaid: Provided always, That no person shall be liable or compelled against his will or consent to take upon himself the said office of Assessor again, after having once taken upon himself the said office, or after having once fined or forfeited and paid the sum of

Five Pounds for refusing or neglecting to take upon himself the said office, without sufficient excuse as aforesaid, but it shall nevertheless be lawful for any person to take upon himself such office of Assessor, as often as he may be nominated and appointed thereto by the said Commissioners as aforesaid, if he consent to take upon himself the same.

120. How value of houses &c. are to be ascertained.

AND for better enabling the said Commissioners to ascertain the yearly rent or value of the several houses, shops, wharfs, warehouses, coach-houses, stables, cellars, vaults, buildings, tenements and other hereditaments hereby authorized to be rated, which shall not be comprised in the valuation of the city of Dublin hereinafter mentioned, it shall be lawful for any person or persons having an order under the hands of any *Two* or more of the said Commissioners, to inspect or take copies or extracts of any rate made or to be made for raising money for parochial or other purposes, within any of the parishes in which any of the said houses or other premises shall be situate, which inspection, copies and extracts the person or persons having the custody of such rates respectively are hereby required to permit and suffer to be made, without fee or reward, upon the producing of such orders; and in case any person having the custody of any such rates shall wilfully neglect or refuse so to do within *Three* Days after such order shall have been produced and shown to him, or a copy thereof left at his usual place of abode, he shall for every such neglect or refusal forfeit and pay any sum not exceeding *Five* Pounds nor less than *Ten* Shillings: Provided, and be it Enacted, That all houses included in the valuation of the city of Dublin, made in pursuance of an Act passed in the fifth year of the reign of his Majesty King GEORGE the Fourth, shall be assessed under this Act according to the yearly value of such houses as stated in such valuation.

Valuation of city of Dublin to be adopted with respect to houses, &c. contained therein.

121. Commissioners to give notice of making the rates.

And be it further Enacted, That when any such rates or assessments shall be made as aforesaid, the said Commissioners shall cause notice thereof to be given in the churches of the said respective parishes at least *Twenty-one* Days before the said rates or assessments shall become payable, to the end that all or any of the persons concerned may, if they think proper, inspect the same, which inspection the said Commissioners are hereby required to permit and suffer *Gratis*, upon application made to them for that purpose; and in case the said rates or assessments shall not be appealed against within *Twenty-one* Days next after such notice, the same shall be binding and conclusive upon all parties; and in case the same shall be appealed against in one or more particular or particulars, the same shall nevertheless be binding and conclusive in all other particulars; and such parts of the said rates or assessments which shall not be appealed

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pealed against shall and may be collected as if no such appeal was made, and the proceedings on the said rates or assessments shall only be stayed on those parts which shall be appealed against.

122. Commissioners to appoint Collectors and to take security.

And be it further Enacted, That the said Commissioners may appoint such person or persons as they shall think proper to collect and levy the rates and assessments hereby empowered and directed to be made and collected as aforesaid; which said Collector or Collectors may from time to time be removed, and another or others be appointed in his or their room, as the said Commissioners shall think fit; and the said Commissioners may make such allowance to such Collector or Collectors for his or their trouble as they shall think fit; and the said Collector shall from time to time account for the said rates and assessments to the said Commissioners, and shall pay the monies collected in such manner as the said Commissioners shall direct and appoint, and in default thereof or of delivering up the books, papers and writings relating to the trusts and powers hereby granted to him and them, shall be liable to the same pains and penalties as Collectors of Tolls are by this Act made liable to; and the said Commissioners may take such security from such Collector or Collectors of the said rates for the due execution of his and their respective offices as the said Commissioners shall think fit; and such Collectors shall collect and levy such parts of the said rates as shall not be appealed against when and as the same shall become due and payable; and as to such parts thereof as to which there shall be an appeal, but which appeal shall be afterwards determined in favour of the rate, the said Collectors shall collect and levy the same immediately after the determination of the appeal.

123. Recovery of Rates.

And be it Enacted, That in case the owner or occupier of any such house or land shall refuse or neglect to pay the money rated or assessed upon him or her, or shall quit his or her land or house, the same having been so rated and assessed before he or she shall have paid such rate or assessment, it shall and may be lawful to and for the Collector or Collectors of such rate or assessment, by warrant under the hands and seals of *Two* of His Majesty's Justices of the Peace for the said county of Dublin (which warrant the said Justices are hereby authorized and required to grant without fee or reward) to collect and levy such rate and assessment and all arrears due on account of the said rate and assessment (if the same shall not exceed *Three* Years' rate and assessment) by distress and sale of any goods and chattels of the party so neglecting, refusing or quitting as aforesaid, which shall be found either upon the house or land upon which such rate or assessment shall have been made or elsewhere within such county; and if within *Five* Days next after such distress shall be made, the said rate or assessment, together with all arrears due thereon (so that the same shall not exceed *Three* Years' rates and assessments), shall not be paid,

together with the reasonable charges of taking and keeping the same, the said Collector or Collectors shall cause the said goods and chattels to be appraised and sold, or such part thereof as shall be sufficient for the purpose, and shall out of the proceeds of such sale retain the amount of the said rate and assessment, together with all arrears due thereon (not exceeding the arrears for the period thereinbefore mentioned) and the reasonable charges of making such distress, and of keeping and selling the same, and shall return the overplus (if any) of the said goods and chattels as shall remain unsold to the owner or owners of such goods and chattels respectively upon demand.

124. Persons removing, to pay a proportionable part of the rates.

And be it further Enacted, That in all cases where any person or persons shall remove from or quit any house or land which shall have been rated or assessed by virtue of this Act, such person or persons shall be liable to pay a proportionable part of such rates or assessments for the time that he, she or they shall have occupied the same, in like manner as if such person or persons had not removed or quitted the same; and in all cases where any person or persons shall come into or occupy any such premises out of or from which any other person or persons who had been rated or assessed for the same shall have removed, or which at the time of making any such rate or assessment was or were empty or unoccupied, such person or persons shall be liable to a proportionate part of such rate or assessment for the time that he, she or they shall occupy the same, in the same manner as if he, she or they had been originally rated or assessed for the same; and the proportion in case of any dispute respecting the same shall be determined by the said Commissioners in such manner as they shall deem reasonable and just; and in case any person having been so rated and assessed, shall quit the premises in which he or she had been so rated or assessed without paying such rate or assessment, or his or her proportion thereof, by him or her due and payable as aforesaid, and shall afterwards refuse or neglect to pay the same, it shall be lawful for the Collector or Collectors of the said rates or assessments, by warrant under the hand and seal of any Justice of the Peace for the said county of Dublin, countersigned by any Justice of the Peace for the county or place where such person shall remove to or reside, or where any goods or chattels of such person shall be found in case such person shall have removed to or shall reside at, or his goods or chattels shall be found, in any county or other place not within the jurisdiction of the Justices of the said county of Dublin, (which warrant such Justice of the said county of Dublin is hereby required to grant upon proof made of the sum so due before him upon oath of a credible witness or witnesses, (or affirmation, being a Quaker) and such Justice of the county or place where such person shall remove to or reside, or where his or her goods or chattels shall be found is hereby authorized to countersign or indorse) to levy such rate or rates or proportion

Power to follow defaulters.

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tion thereof as aforesaid, by distress and sale of the goods and chattels of such person, rendering the overplus and the goods and chattels remaining unsold (if any) upon demand, after payment of the money due in respect of such unpaid rate or rates or proportion thereof, and all expenses relating to the recovery thereof, unto the person or persons whose goods and chattels shall have been so distrained and sold as aforesaid.

125. If no distress to be found, then the Commissioners may, if they think fit, recover by action.

Provided always, and be it further Enacted, That it shall be lawful for the said Commissioners, if they shall think fit, where no sufficient Distress can be made, to direct and cause an Action or Actions to be brought and prosecuted in any of His Majesty's Courts of Record at Dublin for the recovery of any of the said Rates or Assessments hereby authorized to be made, and upon proof of the demand made, and refusal or neglect of payment of the Rate or Assessment for the recovery whereof such action or actions shall be brought, the said Commissioners shall be entitled to a verdict against the Defendant or Defendants in such action or actions.

126. Appeal against Rates.

And be it further Enacted, That if any person or persons shall think himself or herself aggrieved by any Rate or Assessment to be made under or by virtue of this Act, or by any thing done in pursuance of this Act, for which no other method of relief is hereby particularly appointed, such person may appeal to the said Commissioners at any Meeting to be held by them, and the said Commissioners may give such relief or make such order in the premises as to them shall seem proper; and in case the party shall feel dissatisfied, he may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden in and for the said County of Dublin within *Four* calendar Months next after the order or determination of the said Commissioners, such Appellant first giving *Eight* Days' notice at the least in writing of his or her intention to bring such Appeal and of the matter thereof to the Clerk to the said Commissioners, and within *Four* Days next after such notice given, entering into recognizance before some Justice of the Peace for the said county, with *Two* sufficient Sureties conditioned to try such appeal, and to abide the order of the said Justices at such Quarter Sessions, and to pay such costs, if any, as shall be awarded against him or her by the said Justices at such Quarter Sessions; and the Justices at such Sessions, or at some adjournment thereof, upon due proof of the notice having been given, and of the entering into recognizance in the manner hereinbefore mentioned, shall hear and finally determine the causes and matters of every such Appeal in a summary way, and shall award such costs to the parties appealing or appealed against as they the said Justices shall think proper; and the determination of the said Justices at such Sessions or adjournment shall be final, binding and conclusive to all intents and purposes.

 Provided

127. Justices may relieve an appeal from rates without quashing the whole rate.

Provided always, and be it Enacted, That if any appeal from the said Rates or Assessments, or any of them, to be made by virtue of this Act, the Justices at the General Quarter Sessions to be holden for the said county, or at any adjournment thereof, shall and may amend the same in such manner as may be necessary for giving relief, without quashing or altering such rates or assessments with respect to other persons mentioned therein.

128. First rate shall be the full amount authorized to be raised under this Act.

And be it Enacted, That the first Rate or Assessment which shall be made and assessed under the provisions of this Act shall be the full amount of the rate or assessment hereinbefore authorized to be made and assessed.

129. Surplus of any preceding year to be applied to succeeding year, and rates to be reduced from time to time.

And be it Enacted, That at some time between the *First* day of *January* and the *First* day of *February* in the year *One thousand eight hundred and Thirty-eight*, and in each and every succeeding year, the said Commissioners shall ascertain the amount of money (if any) by which the Rate and Assessment made and levied during the preceding year shall have exceeded the amount of money required for the purposes of this Act in the county of Dublin and the county of the city of Dublin during such preceding year; and any such surplus which shall be so found to remain shall and may be applied towards the expenditure required for the purposes of this Act during the current year within the said county of Dublin and the county of the said city of Dublin; and if the said Commissioners shall find in any such year that the amount of the rate or assessment levied for the preceding year shall have exceeded the amount of money required during such preceding year for the purposes of this Act in the said county and the county of the said city, and shall consider that any less amount of money would be sufficient for the purposes of this Act within the said county and county of the said city for and during the then current year, the said Commissioners are hereby empowered to lessen or reduce the rate or assessment to be made for the current year, in like manner, from time to time, as they shall find necessary, to advance from time to time such rate or assessment, so that the same shall not exceed the rate or assessment hereinbefore limited.

130. Rates and Tolls under this Act liable for payment of debts under former Acts.

And be it further Enacted, That the Rates or Assessments and Tolls hereby respectively granted or authorized to be received, as well as any monies received by the said Commissioners in respect of any arrears of Rates or Tolls made prior to the *passing of this Act*, shall be subject and liable to the payment of all monies which have been borrowed and are now due and owing to the credit or on account of the respective Rates or Tolls granted or authorized to be received by virtue of the said recited Acts hereby repealed, or any of them; together with all interest due and to grow due thereon respectively,

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respectively, as fully and effectually to all intents and purposes whatsoever as if such monies had been wholly borrowed and become due and owing on the credit or on account of the Rates or Assessments and Tolls hereby granted and authorized to be received by the said Commissioners.

131. Commissioners empowered to redeem debentures charged on Tolls.

Provided always, and be it further Enacted, That it shall be lawful for the said Commissioners acting under this Act, with the consent of the person or persons for the time being entitled thereto, to redeem the debentures and all or any other the debts charged upon the Tolls hereby authorized to be taken, and to agree for the redemption thereof, upon such terms as the said Commissioners shall think proper, and to raise any sums by way of mortgage for the purpose of enabling them to redeem the said debentures or debts, or any of them, or any part thereof respectively; and the monies to be paid for the redemption of any of the said debentures or debts which are charged upon the Tolls on the Roads mentioned and described in the Schedule hereto annexed shall be paid out of the income of the said Commissioners for or in respect of the said Roads respectively; and any monies which may be raised by way of mortgage for redeeming any or any part of such debts or debentures shall be raised on the Tolls of the said Roads respectively, and the other income of the said Commissioners in respect of such Roads respectively.

132. Commissioners to ascertain amount of sums due on credit of Tolls or Rates under former Acts, and if necessary to advertise for particulars of such claims.

And be it further Enacted, That the said Commissioners shall, as soon as conveniently may be after the *passing of this Act*, cause an account to be taken of all principal sums of money secured by way of mortgage, or by means of bonds or debentures or otherwise, on the credit of the Tolls or Rates by the said Acts hereby repealed respectively authorized to be taken or levied; and if the said Commissioners shall deem it necessary for that purpose, shall cause advertisements to be inserted in the Dublin Gazette and *Three* Newspapers published in Dublin, requiring all persons claiming to be entitled to any sums or sum of money charged by way of mortgage, or by means of bonds or debentures or otherwise on the said Tolls authorized to be collected by the said Acts hereby repealed, to send in to the said Commissioners or to some person or persons to be appointed by them in that behalf, on or before a day to be named in the said advertisements, such day being at least *Thirty* Days before the day hereinafter fixed for declaring such option as hereinafter mentioned, not being sooner than *Three* Months from the date and time of insertion of the first of such advertisements, the particulars of their respective claims, in order that the same may be examined, and the amount thereof, at the option of such Mortgagees or other Creditors, either paid to them forthwith, or secured in manner hereinafter mentioned by mortgage of the Tolls and Rates by this Act authorized to be collected.

133.
Persons having security on Tolls or Rates to have their option of being paid off, or of receiving security under this Act.

And be it further Enacted, That the persons entitled to any sums of money secured by mortgage, bonds, debentures or otherwise, under or by virtue of the said Acts hereby rapealed, on the said Tolls or Rates by the said recited Acts authorized to be taken, shall have the option either to have the money so secured, together with all interest then due thereon, forthwith paid off and discharged, or to have such mortgages as hereinafter mentioned of the Tolls and Rates by this Act authorized to be collected and taken executed to them by the said Commissioners in lieu of their respective securities upon the Tolls or Rates by the said repealed Acts authorized to be taken, and shall declare such option by some writing under their respective hands to be addressed to the said Commissioners.

134.
In cases of infants, lunatics or partial interests, option to be declared by the guardians, committees, &c.

And be it further Enacted, That where the person entitled to any sum of money secured on the said Tolls or Rates by the said repealed Acts authorized to be taken, shall be an Infant or Person of non-sane memory, or where any such sum of money, by reason of any Will or Settlement, or otherwise, shall not belong absolutely to any one individual, then and in either of the said cases the Guardian or Guardians of such Infant, or the Committee or Committees of such Person of non-sane memory, or the person entitled to the first life interest in such sum of money, as the case may be, shall be entitled to exercise such option as aforesaid, whether to have the said sum paid off or secured on the said Tolls and Rates by this Act authorized to be taken.

135.
If no option declared, persons to be considered as electing not to be paid off.

And be it further Enacted, That in all cases where, from the person or persons entitled to any sum of money secured on the said Tolls or Rates by the said repealed Acts authorized to be taken being absent, or from two or more persons being so entitled and not agreeing amongst themselves, or from neglect or any other cause, such option as hereinbefore is given shall not be declared on or before the *First* day of *July One thousand eight hundred and Thirty-seven*, the person or persons entitled to such sum of money shall be considered to have elected not to have the same paid off, but to have the same secured by a mortgage in manner hereinafter mentioned of the Tolls and Rates by this Act authorized to be taken.

136.
Commissioners to examine the validity of claims sent in, and to give information to creditors desirous of making their option.

And be it further Enacted, That the said Commissioners shall cause the validity of all claims which shall be sent in to them in pursuance of the aforesaid provisions to be inquired into and examined, and the total amount and particulars of such claims to be ascertained, and shall give any information both as to the amount of the said claims and the probable annual amount of the Tolls and Rates by this Act authorized to be collected, and the other revenues and the expenses of the said Commissioners which may be required by any of the said Mortgagees or other Creditors for the purpose of enabling them to come

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come to a satisfactory determination in making such option as is hereby given them.

137. Treasury may advance the money required for paying off such claims.

And be it further Enacted, That when the said Commissioners shall have ascertained the amount of the sums which will be required for the payment of the sum or sums of money secured on the Tolls or Rates by the said repealed Acts authorized to be taken, and which the parties entitled thereto shall have declared their option to have paid off forthwith, and also for the payment of the compensation which may be awarded to Messieurs Taylor and Bourne, pursuant to the provisions for that purpose hereinbefore contained, the said Commissioners may and they are hereby authorized to apply for the loan of the whole or any part of such amount to the Lords Commissioners of His Majesty's Treasury, who are hereby authorized and empowered (if they shall so think fit) to advance out of the produce of the Consolidated Union of the United Kingdom arising in Ireland to the said Commissioners acting under this Act, such sum or sums as shall be specified in the application of the said Commissioners or any part thereof, to be secured in such manner and to bear such rate of interest and to be payable at such periods as shall be fixed by the said Lords Commissioners of His Majesty's Treasury; and such advances with the interest thereon, shall be a charge on the funds accruing to the said Commissioners under the provisions of this Act, in preference to any other charge whatsoever.

138. Commissioners may borrow of private individuals instead of the Treasury.

Provided always, and it is hereby Enacted, That it shall be lawful for the said Commissioners acting under this Act, if they shall be able and shall think proper so to do, instead of applying to the said Lords Commissioners of His Majesty's Treasury, in manner aforesaid, to borrow of any person or persons, or body or bodies politic or corporate, on mortgage of the Tolls or Rates by this Act authorized to be taken, the whole or any part of the amount which will be required for the payment of the sum or sums of money secured on the Tolls by the said repealed Acts authorized to be taken, and which the parties entitled thereto shall have declared their option to have paid off forthwith, pursuant to the provisions for that purpose herein contained.

139. Commissioners to pay off Creditors desirous of being paid off, and to execute mortgages to those not desirous of being paid off.

And be it further Enacted, That the said Commissioners shall, as soon as conveniently may be, after the said *First* day of *July One thousand eight hundred and Thirty-seven*, pay to the persons entitled to any sums secured on the Tolls or Rates, by the said repealed Acts authorized to be taken, and desirous of having the same paid off forthwith, the amount of such principal sums, together with interest thereon at such rate of interest as they shall respectively bear from the time to which the interest thereon shall have been then already paid up to the time of payment of such principal sum, and shall execute to the per-

sons entitled to any sums secured on the Tolls or Rates by the said repealed Acts authorized to be taken, and not desirous of having the same paid off forthwith, or to such persons as they shall respectively appoint, mortgages of the Tolls or Rates by this Act authorized to be taken, and of the toll-houses, gates, bars, weighing machines and other property necessary for collecting the same, for securing to the said persons respectively the principal sums to which they shall respectively be so entitled, with interest thereon at such rate of interest as they shall respectively bear from the time up to which such interest shall have been paid, such interest to be made payable at the days and times at which it is payable under and by virtue of the existing mortgages, bonds, debentures or other securities; and the mortgages to be executed by the said Commissioners as aforesaid to be in such form as to the said Commissioners and to the intended mortgagees respectively shall seem more convenient or proper.

140. Such mortgages to be free of Stamp Duty.

And be it further Enacted, That no Mortgage to be executed by the said Commissioners in manner aforesaid, either as a substitution for or in order to raise money for paying off and discharging any mortgage or other security now existing, and by the said repealed Acts authorized to be taken, shall if the said former mortgage shall have been duly stamped, be liable to or charged with the payment of any Stamp Duty; any thing in any Act to the contrary thereof in anywise notwithstanding.

141. Provision for payment of money to which infants may be entitled.

And be it further Enacted, That where any infant or person of non-sane memory shall be entitled to any sum of money, to be payable under the provisions hereinbefore contained, or where the mortgage, bond, debenture or other security in respect of which such sum shall be payable shall by any deed, will or otherwise have been settled, limited or given to or upon or for the benefit of persons not taking absolute interest therein, the same shall be paid to the guardian or guardians of such infant, the committee or committees of such person of non-sane memory, or the trustees in whom such mortgage, bond or other security shall be vested, as the case may be; and the receipt of such guardians, committees and trustees shall be sufficient discharges to the said Commissioners, and shall exonerate them from being liable for the misapplication or non-application of the sums mentioned in such receipts; and in the instance last mentioned, if there shall be no trustee in whom such mortgage, bond or other security shall be vested, the sum of money shall be paid into the Bank of Ireland in the name and with the privity of the Accountant General of the Court of Exchequer, to be placed to his account ex parte the Commissioners appointed or to be appointed by or under this Act, pursuant to the general orders of the said Court, and without fee or reward, and shall when so paid in be invested by the said Accountant General in his name in the purchase of Three Pounds per

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per centum Consolidated, or Three Pounds per centum Reduced Bank Annuities; and the said Consolidated or Reduced Bank Annuities, and the dividends thereof, shall be transferred and paid respectively by order of the said Court (such order to be made upon petition, to be presented in a summary way) to the persons who would have been respectively entitled to the principal and interest of the money in discharge of which the same shall have been so paid in case this Act had not been passed; and in the like manner in which such persons would have been respectively entitled to the principal and interest of the said money, and the receipt of the cashier or cashiers of the Bank (which receipt the said cashier or cashiers is and are hereby required to give) shall be a sufficient discharge to the said Commissioners for the sum so paid in.

142. Mortgages to be made as aforesaid to be entitled to no priority one over the other.

And be it further Enacted, That all the several mortgages to be executed in manner aforesaid by the said Commissioners either as a substitution for or in order to raise money for paying off and discharging any sum secured by mortgage, bond, debenture or other security on the Tolls or rates by the said repealed Acts authorized to be taken, shall, except the sums payable to the said Lords Commissioners of His Majesty's Treasury, be considered as standing pari passu, and as entitled to no priority the one over the other; but the several mortgagees shall be tenants in common of the said Tolls hereby authorized to be taken, and of the tollhouses, gates, bars, weighing machines and other property comprised in their respective mortgages, and their several shares therein shall be proportioned to the amount of the sums secured by their respective mortgages; any thing in any Act or Acts to the contrary notwithstanding.

143. But to have priority over subsequent Mortgages, and subsequent Mortgages to have priority over one another unless provision is made to the contrary.

Provided always, and be it further Enacted, That all the several mortgages to be executed in manner aforesaid by the said Commissioners, either as a substitution for or in order to raise money for paying off or discharging any sum secured by mortgage, bond, debenture or other security on the Tolls or rates by the said repealed Acts authorized to be taken, shall, save as aforesaid, have a priority over every subsequent mortgage which may hereafter be executed by the said Commissioners under the provisions of this Act of the said Tolls and rates by this Act authorized to be taken; and all such subsequent mortgages shall have priority, the one over the other of them, according to their respective dates and times of execution (unless provision to the contrary shall be expressly inserted in any such mortgage, declaring that it shall not be entitled to priority over any future mortgage or mortgages, and that either generally or specified the particular amount of such future mortgage or mortgages); and all such subsequent mortgages shall be in any form which the said Commissioners may think suitable.

144. Application of Tolls and other Monies.

And be it further Enacted, That all and every the Tolls by this Act authorized to be taken on the said Roads mentioned and described in the said Schedule hereto annexed, and the rates and assessments by this Act authorized to be made and levied, shall be vested in the said Commissioners, and the sums arising therefrom, and all other sums which by virtue of this Act shall be payable to the said Commissioners, shall, subject and without prejudice to the provision hereinbefore contained for keeping distinct the income and expenditure in reference to the Roads mentioned and described in the said Schedule, or the parts of such Roads which shall be situate in the county of Dublin and county of the city of Dublin, from the income and expenditure of such Roads or parts thereof as may be situate beyond the county of Dublin, be applied for the purposes and in the manner following; that is to say, first, in paying the principal or interest of the several sums by this Act charged or directed to be charged upon or made payable out of the said Tolls, Rates and Assessments, and other monies; and secondly, in amending, widening, paving, draining, maintaining and repairing and keeping in repair, according to the provisions of this Act, the said Roads mentioned and described in the said Schedule hereto annexed, and in erecting, removing, altering and repairing toll-gates, tollhouses, weighing machines and other erections necessary for the due collecting of the Tolls hereby authorized to be taken, and in watering, watching and lighting such of the said Roads as the said Commissioners are hereby empowered and shall think it proper to watch, water and light, and in defraying all necessary costs, charges and expenses attending the execution of this Act, in such manner as the said Commissioners shall direct.

145. Money to be paid into the Bank;

And be it further Enacted, That the said Commissioners shall cause all sums of money whatsoever which shall be from time to time receivable by them for the purposes of this Act, either from or on account of Tolls on the said Roads, or from the Rates and Assessments hereby authorized to be made, or from any other source whatsoever, to be paid into the Bank of Ireland to the account of the said Commissioners as aforesaid.

146. And to be drawn out by Check.

And be it further Enacted, That all Monies to be drawn for, for the purposes of this Act, out of the Bank of Ireland, shall be drawn for by an order or check on the Bank, to be signed by any *Two* of the said Commissioners.

147. Penalty for applying Money contrary to this Act.

And be it further Enacted, That in all cases in which any Treasurer of any county or county of a city shall, for the space of *Twenty-one* Days after the receipt thereof, wilfully retain in his hands, or otherwise employ for his own benefit, any sum or sums of money which, pursuant to the provisions of this Act, should be paid to or to the use of the Commissioners

Commissioners of this Act, he shall be charged with and forfeit and pay to the said Commissioners such sum or sums of money as shall be equal to the amount of interest, computed at the rate of *Twenty* Pounds per centum per annum on all such sums of money so retained or employed by him, for the time or times during which he shall have so retained or employed the same, contrary to the true intent and meaning hereof, and which sum or sums shall and may be sued for, levied and recovered by the Commissioners of this Act, by any of the ways and means by which any other penalty can or may be sued for, levied and recovered, by virtue of any of the provisions herein contained.

148.
All sums of money in hands of Commissioners of former Acts, their books, writings &c. to be transferred to Commissioners of this Act.

And be it further Enacted, That all and every sum and sums of money in the hands of, or due or payable on the said *First* day of *January One thousand eight hundred and Thirty-seven*, or thereafter to become due and payable by any of the Trustees, Commissioners or Directors of the said several Roads, or any of them, or by their or any of their Treasurers, Clerks, Collectors or other officer or servant, or from any Lessees, Contractors or other person whatsoever, on account of the Tolls of said several Roads, or any of them, or under or by virtue of said hereby respective Acts, or any of them, in any way whatsoever, or any other account whatsoever; and all deeds, papers, account books, vouchers and other writings relating to the said Roads, or any of them, or to the Tolls thereof, and all sums in the hands of or to be hereafter received by the Treasurer of any county, county of a city or town, on account of any Grand Jury Presentment, made for or on any other account, the monies improving and repairing said Roads hereby placed under the management of said Commissioners, or any of them, be and the same and every part thereof shall from and after the said *First* day of *January* be paid and transferred, and the same and every part thereof are hereby vested in and transferred and made payable to the Commissioners under this Act, to be by them applied and disposed of, to, for and upon the purposes of this Act, and shall and may be sued for and recovered and levied by or under the directions of said Commissioners in the names of their Secretaries, and in the same manner, by the same ways and means, remedies and provisos, and at the times as the same might be sued for, recovered and levied by or for the said Trustees, Commissioners or Directors, or any of them, if this Act had not been passed; and all the powers, remedies and authorities given or mentioned in any Act or Acts, or otherwise provided or allowed by and for the recovery thereof respectively, shall, until all and every such sum and sums shall be received and paid as aforesaid, continue and be in full force and effect as if the same were herein re-enacted, and as if the Commissioners of this Act and their Secretaries, or other officers, had been named in every such Act or Acts, or in any presentment or presentments, deed, bond or bonds,

writings or other securities or instruments therein respectively mentioned, and in pursuance thereof respectively executed and entered into, instead of the said several Trustees, Commissioners or Directors respectively, or other officers.

149. Any Action carrying on by Commissioners of said former Act may be proceeded with by Commissioners of of this Act.

And be it further Enacted, That all and every action and proceeding for breaches of covenant or otherwise, or for the recovery of any penalty or otherwise which has been commenced, or which might at any time hereafter, if this Act had not been made, have been taken, commenced and carried on by the said Trustees, Commissioners or Directors of said Roads, or other their officers respectively, shall and may be commenced, taken and carried on at any time hereafter by the Commissioners of this Act, in the name of their Secretary, as if they had been expressly named in any deed, covenant, agreement, writing or security, or in any Act or Acts of Parliament, or under or by virtue whereof such action or proceeding might have been and shall be commenced, taken and carried on, and that all and every sum and sums to be recovered in any such action or proceedings shall and may be applied and disposed of by the Commissioners of this Act to, for and upon the purposes of this Act, and that the Commissioners of this Act may satisfy and discharge out of the funds hereby vested in them, all sums legally due by said Trustees, Commissioners or Directors respectively, on account of salaries or wages, or other sums due to any of their officers, servants or labourers, or on account of materials supplied, or work done for the repairing or improving of any of said Roads on the said *First* day of *January One thousand eight hundred and Thirty-seven*, which said Trustees, Commissioners or Directors respectively would have been bound to pay if this Act had not been passed.

150. All contracts with Commissioners of former Acts continued and may be sued on.

And be it further Enacted, That all bonds, covenants, agreements, contracts and securities (save as aforesaid) entered into by any person or persons, to or with the respective Trustees, Commissioners or Directors of said several Roads, for executing the said hereby repealed Acts, or any of them, according to the provisions and directions thereof, shall remain in full force and effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed, on account and for the benefit of the Roads to be repaired under this Act respectively, and all leases of Tolls, orders, contracts and agreements duly made or entered into by the said Trustees, for executing the said Acts hereby repealed, or any of them, shall, so far as the same are not altered or avoided by this Act, remain in full force and effect, and be observed and kept by the Commissioners under this Act, according to the terms and stipulations thereof respectively, and be subject to all the rules, regulations, enactments and provisions of this Act, as if the said Commissioners had been originally named in and by the same respectively.

And

151. Persons swearing falsely to be guilty of Perjury.

And be it further Enacted, That if any person upon examination upon oath or information before the said Commissioners for the execution of this Act respectively, or before any Sheriff, Justice of the Peace, or other person or persons hereby authorized to administer an oath or affirmation, shall in any manner relating to the execution of this Act, wilfully or corruptly give false evidence, or shall in such affidavit or deposition wilfully or corruptly swear, affirm or allege any matter or thing which shall be false or untrue, every such person or persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject to such pains and penalties as by any law now in force in Ireland persons convicted of wilful and corrupt Perjury are subject and liable.

152. Affirmation for Oath.

And be it further Enacted, That in all cases where an oath may be administered by this Act, it shall be lawful to administer an Affirmation in lieu thereof, as the case may require.

153. King's Bench to have jurisdiction over Justices, Commissioners or others refusing to do any matter hereby required.

And be it further Enacted, That in case of any refusal or neglect of any of the said Justices, Commissioners or Directors, or any of their officers or other persons employed by them respectively, or any Justice of the Peace or other person whatever to do any act, matter or thing hereby directed or required to be done by them, or any of them, it shall be lawful for the Court of King's Bench in Ireland, on the application of the Commissioners of this Act, to direct a Writ of Mandamus, or any other writ that may be necessary, to any of the Trustees, Justices, officers or other person or persons as aforesaid, to enforce the performance of such acts, matters and things by such Trustees, Justices, officers or other persons as aforesaid, pursuant to this Act.

154. Commissioners may lend out at interest any money in their hands.

And be it further Enacted, That the said Commissioners under this Act are hereby authorized and empowered from time to time at their discretion to lay out at interest all or any part of such monies as shall at any time hereafter by or under the provisions of this Act, come to or be in their hands or at their disposal, in the purchase of Government or Parliamentary Funds, Stocks or Securities, and no other, either in England or Ireland, and from time to time change, transfer or sell out such Stocks, Funds or Securities, or any part thereof, as they may find necessary or convenient.

155. Certain Provisions in Sections 86, 87, 89, 90, 91, of 1 and 2. W. 4. c. 33. to extend to this Act.

And be it further Enacted, That all and every the provisions, clauses and enactments in the said recited Act of first and second WILLIAM the Fourth, intituled, "An Act for the extension of Public Works in Ireland," relating to the proof of debts or application and issuing Commission of Bankruptcy, and all matters connected as well as regulating or relating to the commencing, bringing or carrying

on any action or suit by or against the said Commissioners, or against any of their officers, and the costs thereof, and the giving evidence thereon, shall be applied and be taken to extend to proceedings under this Act, as if the same had been herein expressly re-enacted.

156. All agreements, &c. to be exempt from Stamp Duties.

And be it further Enacted, That no obligation, contract or agreement, assignment, deed, conveyance or other instrument whatever taken or made to or by the said Commissioners for the execution of this Act, nor any affidavit, deposition, certificate, order or receipt to be expressly taken or made under and by virtue of this Act, shall be liable to any Stamp Duty whatever; any thing in any Act or Acts in force in Ireland to the contrary in anywise notwithstanding.

157. Explaining words.

And be it further Enacted, That the words "Lord Lieutenant or Lords Lieutenants of Ireland," wheresoever used in this Act, shall extend to and include any Lords Justices or other Chief Governor or Governors of Ireland for the time being; and the words "Lords Commissioners of the Treasury" shall be construed to mean any *Three* or more of such Lords Commissioners of His Majesty's Treasury, or the Lord High Treasurer of the United Kingdom of Great Britain and Ireland, whenever such officer there shall be; and whenever in any of the provisions of this Act relating to any lands, tenements or hereditaments or monies or other properties, the words "any person or any person or persons" shall be used, the same shall be construed to extend to and include all ecclesiastical persons, bodies politic and bodies corporate, sole or aggregate, by ecclesiastical or collegiate guilds, fraternities or brotherhoods corporate or not, and every person and persons whatsoever, whether entitled or interested in his, her or their own right, or as trustees, committees, guardians, devisees or personal representatives, lessees or otherwise; and every word importing the singular number only, shall be applied and extend to several persons or things as well as one person or thing; and every word composing the masculine gender only shall extend and be applied to a female as well as a male; and the word "County" shall extend and be applied to any riding, county of a city or county of a town, as well as a county at large, save and except where in the use of any of the words or expressions aforesaid the nature of the provision or the contents shall exclude such construction.

158. This Act to be deemed public.

And be it further Enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken notice of as such, by all Judges, Justices and others, without being specially pleaded.

159. Act may be altered.

And be it further Enacted, That this Act may be amended, altered or repealed by any Act or Acts to be passed in the present Session of Parliament.

Dublin Roads.

A

B I L L

To consolidate the Trusts of the several Turnpike Roads in the Neighbourhood of the City of Dublin, and to substitute a Local Rate or Assessment in lieu of the Tolls levied on such Roads within the County of Dublin.

(*Prepared and brought in by*
Mr. Evans and Mr. Christopher Fitzsimon.)

Ordered, by The House of Commons, *to be Printed,*
17 *June* 1836.

[*Price* 10*d.*]

339.

A

B I L L

For the more perfectly uniting to the Crown the County Palatine of Durham, and for the better Regulation of the Revenues belonging to the Bishoprick thereof.

Note.—The Words and Clauses printed in *Italics* are proposed to be inserted in the Committee.

WHEREAS it is expedient to put an end to the separate palatine jurisdiction of the County Palatine of Durham, and to make certain provisions respecting the said County Palatine; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, THAT from and after the *commencement of this Act*, the palatine jurisdiction heretofore exercised by the Bishop of Durham shall cease and be determined; and the authority and jurisdiction of all and every Person and Persons whomsoever deriving authority from or under the Bishop of Durham, in right of the said County Palatine, shall in like manner cease and determine; and that all forfeitures of lands or goods for treason or otherwise, and all escheats, fines and amerciaments, and all jura regalia which may or otherwise might at any time after the commencement of this Act accrue to or be exercised by the Bishop of Durham for the time being, in right of the said County Palatine, shall accrue and belong to His Majesty, His heirs and successors; and that from and after the *commencement of this Act*, the Bishop of Durham for the time being, in virtue of his Bishoprick, shall have and exercise episcopal and ecclesiastical jurisdiction only.

Preamble.

1. Palatine Jurisdiction of the Bishop of Durham to cease.

2.
27 H. 8, c. 24, s. 21, repealed.

AND whereas by an Act passed in the twenty-seventh year of the reign of his Majesty King HENRY the Eighth, intituled, "An Act for continuing of certain Liberties and Franchises heretofore taken from the Crown," it was enacted, that the Bishop of Durham for the time being should be a Justice of the Peace for the said County Palatine; BE it Enacted, That the said Act, so far as the same is hereinbefore recited, shall be Repealed.

3.
Jurisdiction of the Court of Chancery and Court of Pleas at Durham to cease.

Suits to be transferred.

And be it further Enacted, That from and after the *commencement of this Act*, all the power, authority and jurisdiction of the Court of Chancery at Durham, and of the Chancellor of the same Court, and of the Court of Pleas at Durham, and of the Judges of the same Court, shall cease and determine; and that all suits then depending in any of the said Courts, and all proceedings thereon, shall be transferred, those in the said Court of Chancery at Durham to His Majesty's High Court of Chancery, and those in the Court of Pleas at Durham to His Majesty's Court of Exchequer, to be there respectively dealt with and decided according to the practice of His Majesty's said Courts respectively, or according to the practice of the Court from whence the same shall be transferred, as to the judgment of His Majesty's said Courts may seem fit, which said Courts of His Majesty shall, for the purpose of such suits and all proceedings thereon, be deemed and taken to have all the power and jurisdiction to all intents and purposes possessed before the *passing of this Act* by the Court from which the same shall be removed: Provided always, That nothing herein contained shall have the effect of preventing any appeal from or against any decision made prior to the *commencement of this Act*.

4.
Offices expressly abolished.

And be it further Enacted and Declared, That from and after the *commencement of this Act*, the several offices of Temporal Chancellor, Attorney-General, Solicitor-General, Registrar of the Court of Chancery, Examiner of the said Court, Cursitor of the same Court, and Prothonotary of the Court of Pleas respectively, in the said County Palatine, shall cease and be abolished.

5.
County Court.

Provided always, and be it further Enacted and Declared, That nothing hereinbefore contained shall abrogate or affect the authority or jurisdiction of the Court called the Court of the County of Durham, and that the authority and jurisdiction of such Court shall continue in full force and effect; and that any such process as may heretofore have been issued for the purposes of such Court out of the said Court of Chancery at Durham shall for the future be issued out of His Majesty's High Court of Chancery.

6.
Provision for regulating Fees and Costs

And be it further Enacted, That it shall be lawful for the Sheriff of the county of Durham for the time being, from time to time as occasion

occasion shall require, subject to the approval of the senior Judge on the Northern Circuit, to make and regulate a Table of Fees, Costs and Charges, to be demanded, received, taken and charged by the Officers of the said County Court, and also of the Costs, Charges and Expenses to be allowed to Plaintiffs and Defendants in any actions or plaints now pending or to be hereafter brought in such Court. in the County Court.

Provided also, and be it further Enacted, That *Henry Donkin*, of the city of Durham, gentleman, the present Clerk of the said Court of the county of Durham, shall continue and he is hereby appointed Clerk of such Court during his life, or so long as he shall behave himself well in the said office; and from and after the death, resignation or removal of the said *Henry Donkin*, the appointment to the office of County Clerk shall be made by the Sheriff for the time being of the said county. 7. County Clerk.

And be it further Enacted and Declared, That after the *passing of this Act*, it shall be lawful for His Majesty, His heirs and successors, to appoint a Custos Rotulorum of the said county of Durham, and from time to time to appoint to that office on every future vacancy thereof. 8. Custos Rotulorum to be appointed.

And be it further Enacted, That after the *passing of this Act*, it shall be lawful for His Majesty, His heirs and successors, from time to time to appoint the Sheriff of the said county of Durham, in like manner as in the cases of Sheriffs of other counties in England, but that the present Sheriff shall continue in office, and he is hereby appointed to hold the said office, until such time in the present year, or in the year *One thousand eight hundred and Thirty-seven*, as a new Sheriff of the said county shall be appointed as aforesaid, in like manner as the Sheriffs of other counties in England hold their respective offices; and that from and after the *passing of this Act*, the present Sheriff of the said county, and his Under-sheriff and Officers, and every future Sheriff to be appointed as aforesaid, and his Under-sheriff, shall have the same power, authority and jurisdiction, to all intents and purposes whatsoever, as is exercised by Sheriffs and Under-sheriffs of other counties in England. 9. Sheriff to be appointed by the Crown, but in the meantime the present Sheriff to remain in office.

Provided always, and be it further Enacted, That the present Coroners of the four Wards respectively, called Easington Ward, Chester Ward, Stockton Ward, and Darlington Ward, in the said county of Durham, shall continue Coroners of the same Wards respectively during their respective lives, or so long as they shall respectively well behave themselves; and that upon and after the death, 10. Coroners.

removal or resignation of the Coroner, either of Easington Ward or of Chester Ward, the Coroner of the other of such Wards shall hold and fulfil the office of Coroner of both the same Wards during his life, or so long as he shall well behave himself; and that after the death, removal or resignation of the Coroners of both the last mentioned Wards, a Coroner shall from time to time be chosen for the Northern Division of the said county of Durham, in like manner as Coroners are chosen in the case of other counties or divisions of counties in England; and that after the death, removal or resignation of the Coroner, either of Stockton Ward or of Darlington Ward, the Coroner of the other of the same Wards shall hold and fulfil the office of both the same Wards during his life, or so long as he shall well behave himself; and that after the death, removal or resignation of the Coroners of both the last mentioned Wards, a Coroner shall from time to time be chosen for the Southern Division of the said county of Durham, in like manner as Coroners are chosen in the case of other counties or divisions of counties in England: Provided always, That until Coroners shall be chosen as aforesaid both for the said Northern Division and for the said Southern Division respectively, any Coroner who shall be chosen for one of the same divisions shall, if so chosen for the Northern Division, act as and be Coroner for the said Easington and Chester Wards, and not for any other district, and shall, if so chosen for the Southern Division, act as and be Coroner for the said Stockton and Darlington Wards, and not for any other district.

11. Recompense to Coroners.

And be it Enacted, That from and after the *commencement of this Act*, the said Coroners for the time being shall be entitled to demand and take the same fees, recompense and benefit as are given to or provided for Coroners by an Act made and passed in the twenty-fifth year of the reign of his late Majesty King George the Second, intituled, "An Act for giving a proper Reward to Coroners for the due Execution of their Office, and for the Removal of Coroners, on lawful conviction, of certain Misdemeanors," and shall as such Coroners be subject to all the provisions of the said Act; and that so much of the said Act which provides that no Coroner of the County Palatine of Durham shall be entitled to any fee, recompense or benefit given to or provided for Coroners by that Act, shall be and the same is hereby Repealed.

12. Clerk of the Peace.

Provided also, and be it further Enacted, That the present Clerk of the Peace for the said county of Durham shall be and he is hereby appointed Clerk of the Peace for the said county during his life, or until resignation or other determination of his office, and that thenceforth the Clerk of the Peace for the said county shall from time to time be appointed by the Custos Rotulorum for the time being of the said county.

Provided

13. Gaoler.

Provided also, and be it further Enacted, That the present Gaoler or Keeper of the common gaol of the said county shall be and he is hereby continued in his office, and that the Justices of the Peace for the time being of the said county of Durham, in General Quarter Sessions assembled, shall, from and after the *commencement of this Act*, have the same power to appoint or remove or dismiss the Gaoler or Keeper for the time being of the common gaol of the said county, as the Bishop of Durham for the time being would or might have had if this Act had not been passed.

14. Clerk of the Crown.

Provided also, and be it further Enacted, That the present Clerk of the Crown for the said county of Durham shall be and remain, and he is hereby appointed Clerk of the Crown for the said county during his life, or until resignation or other determination of his office, and shall continue to discharge the duties of his office in the same manner as heretofore, and shall receive and be paid the same allowances and sums of money as he is now entitled to by virtue of his said office; and that after his vacation of the said office, the Clerk of the Crown for the said county shall be appointed as in other counties in England.

15. Attorney-General and Solicitor-General of Durham.

Provided also, and be it further Enacted, That the several persons who at the time of the decease of the late Bishop of Durham held the offices of Attorney-General and Solicitor-General for the said county of Durham, shall, unless and until His Majesty's pleasure shall be otherwise declared, continue (within the said county of Durham) to have the same rank, name of office and privileges which they have hitherto enjoyed, save and except such fees as would cease with the abolition of the courts and jurisdictions abolished by this Act.

16. Right of Attornies and Solicitors of Durham still to practise in Durham.

And be it further Enacted, That all persons who at the time of the *passing of this Act* shall have been admitted as Solicitors or Attornies, and shall then be practising as such in the Court of Chancery or the Court of Pleas at Durham, shall be entitled, upon the payment of *One* Shilling, to have their names entered upon a roll, to be kept for that purpose in each of the Superior Courts of Westminster, and thereupon be allowed to practise in such Courts in all actions and suits against persons residing at the commencement of the suit within the county of Durham; and that all persons having served or now actually serving as Clerks to such Solicitors or Attornies under articles, and who would otherwise be entitled to be admitted as Solicitors or Attornies of the said Courts of Durham, may, on or before the expiration of *Six* Months after the *passing of this Act*, be admitted as Solicitors or Attornies of the said Courts at Westminster for the purpose of practising there in the like matters only,

only, without payment of any greater duty than would be now payable by law upon their admission as Attornies of such Courts of Durham respectively.

17. Attornies and Solicitors of Durham may be admitted at Westminster, on payment of limited Duties.

And be it further Enacted, That all Attornies and Solicitors now actually admitted and practising in the said Courts of Durham respectively, may be admitted as Attornies or Solicitors of the said Courts at Westminster, in like manner as is now or may be hereafter prescribed for the admission of other persons as Attornies and Solicitors therein, upon payment of such sum for duty, in addition to the sum already paid by them in that behalf, as shall, together with such latter sum, amount to the full duty required upon the admission of Attornies or Solicitors in the said Courts at Westminster, and that all persons having served or now actually serving under articles as Clerks to such Attornies or Solicitors of the said Courts of Durham respectively, may, at the expiration of their respective times of service, be admitted as Attornies or Solicitors of the said Courts at Westminster, in like manner and upon payment of the like duty as if they had served under articles as Clerks to Attornies of the last-mentioned Courts.

18. Provision as to Masters Extraordinary and others authorized to take Affidavits in Durham.

And be it further Enacted, That any person who shall have been duly appointed a Commissioner for taking Affidavits, or a Master Extraordinary in Chancery of any of the Courts abolished by this Act, shall, upon producing or proving his appointment before the proper Officer, and upon the payment of *One* Shilling, be entitled to have his name inserted in a List to be kept for that purpose of such Commissioners or Masters Extraordinary, as the case may be, and to exercise within the limits of his existing commission or commissions the same power and authority and for the same purposes as if his commission had issued from one of His Majesty's Courts at Westminster.

19. Jurisdiction of the Courts at Westminster extended to Durham.

And be it further Enacted, That from and after the *commencement of this Act*, His Majesty's Writ shall be directed and obeyed, and the jurisdiction of His Majesty's Courts of King's Bench, Common Pleas and Exchequer respectively, and of the several Judges and Barons thereof, shall extend and be exercised over and within the county of Durham, in the like manner, to the same extent and to and for all intents and purposes whatsoever, as the jurisdiction of such Courts respectively is now exercised in and over other counties of England, not being Counties Palatine, any statute heretofore passed to the contrary notwithstanding; and that all original Writs to be issued into the said county of Durham, and the process and proceeding thereon, shall respectively be issued by and transacted with such of the Officers of the several Courts of King's

King's Bench and Common Pleas as shall be named for that purpose by the Chief Justices of such Courts respectively, each naming for his own Court.

20. Assizes to be held in Durham.

And be it further Enacted, That from and after the time herein appointed for the *commencement of this Act*, Assizes shall be held for the trial and despatch of all matters, criminal and civil, within the said county of Durham, under and by virtue of Commissions of Assize, Oyer and Terminer, Gaol Delivery, and other Writs and Commissions to be issued in like manner and form as hath been usual for the other counties in England, and all laws and statutes now in force relating to the execution of such Commissions when issued for counties in England shall extend and be applied to the execution of the Commissions issued for the county of Durham under the authority of this Act.

21. Statute 7th & 8th Geo. 4, c. 71, s. 7. repealed, as to Durham.

AND whereas by an Act passed in the seventh and eighth years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to prevent Arrests upon Mesne Process when the Debt or Cause of Action is under Twenty Pounds, and to regulate the Practice of Arrests," it was amongst other things enacted, that no Sheriff or other Officer within the County Palatine of Durham should, upon any Mesne Process issuing out of any of His Majesty's Courts of Record at Westminster, after the date therein mentioned, arrest or hold any person to special bail, unless such Process should be duly marked and indorsed for bail in a sum not less than Fifty Pounds; BE it Enacted, That the last mentioned Act, so far as the same is hereinbefore recited, shall be and the same is hereby Repealed.

22. *Compensation to persons affected by the provisions of the Act.*

AND whereas it is expedient that due provision shall be made for the Compensation of any person or persons having a freehold in his or their office or offices in the county of Durham for the losses he or they may sustain by the abolition of his or their office or offices, or reduction of his or their fees, by virtue or in consequence of this Act; BE it therefore Enacted, That from and after the commencement of this Act there shall be issued, paid and payable out of and charged upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the person or the several persons appointed before the Twenty-fourth day of May One thousand eight hundred and Thirty, and having a freehold interest in such offices in the county of Durham as shall be abolished or affected by virtue of this Act, free and clear of all taxes and deductions whatsoever, such sums of money at such times, by way of annuity or otherwise, as shall be adjudged and determined to be due to such person or persons respectively by any Commission to be appointed by His Majesty, or by virtue of any Act of Parliament for the purpose of determining the amount of the Compensation that ought to be due and payable in such cases, and that in the meantime, and until Compen-

sation shall be awarded and determined in manner aforesaid, or the time shall have elapsed that may be appointed for claiming the same, it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland, or any Three of them, to issue their Warrants for the payment to such person or persons as aforesaid, out of the said Consolidated Fund, of such half-yearly or quarterly allowances as to the said Commissioners shall seem reasonable, both as to the amount and times of payment on account of such Compensation, as may thereafter be awarded to the said parties respectively.

23. *Restrictions as to Compensations.*

Provided always, and be it further Enacted, That no person shall be entitled to receive any such Compensation or allowance as aforesaid who shall not previously make a full and true statement to the said Commissioners of His Majesty's Treasury, to be verified on oath before a Judge or Master or Master Extraordinary in Chancery, if they shall think fit so to direct, of the amount of the salary, fees and emoluments of such office, and of the disbursements and outgoings of the same for the space of Ten Years before the passing of this Act, and that such Compensation or allowance shall cease altogether or be reduced in amount, as the case may be, whenever the party shall be entitled to receive the same shall be placed in any other public office of which the salary and emoluments shall be equal to the whole or to part of such Compensation or allowance, so that in the last mentioned case no person shall be entitled to receive more of such Compensation or allowance than shall be equal to the difference between the full amount thereof and the amount of the salary and emoluments of the office in which he may be hereafter placed.

24. Custody of the Records of the Courts abolished.

And be it further Enacted, That the Records, Muniments and Writings of the several Courts abolished by this Act or deposited in the several offices belonging to such Courts shall, until otherwise provided by law, be kept by the same persons and in the same places as before the *passing of this Act*, and that the Court of Common Pleas at Westminster shall have the like power and authority to amend the Records of fines and recoveries passed heretofore in the Court of Pleas at Durham, as if the same had been levied, suffered or had in the Court of Common Pleas: Provided always, That in case of the death or removal from office, by virtue of this Act or otherwise, of any such person before any other provision shall have been made for keeping such Records, Muniments and Writings, the custody thereof shall be with the Clerk of the Peace of the county of Durham.

25. Reservation of Patent Fees to Patentees for life.

Provided always, and be it further Enacted, That nothing in this Act contained shall affect the right of any person holding a Patent for his life of any office, whether abolished by this Act or not, to receive during his life any fee or stipend granted by such Patent out of the Revenues of the Bishoprick of Durham.

And

26. Land-tax on abolished Offices discharged.

And be it further Enacted, That from the *Fifth* day of *April One thousand eight hundred and Thirty-six*, the Land-tax charged on any Offices intended to be hereby abolished shall cease to be payable, and that the parish of Saint Mary-le-Bow, adjoining to the Castle of Durham (by which parish such Land-tax has been hitherto collected), and the said Bishoprick, and all persons heretofore charged with the same, shall be discharged therefrom.

27. Provisions as to Oaths required to be taken before Judges of Courts which are abolished.

And be it further Enacted, That where by any law, charter or usage any corporate or other officer or person hath been accustomed or ought to take an Oath or make any Declaration before any Judge or Officer of or in any of the Courts abolished by this Act, such officer or person may and shall take the same Oath or make the same Declaration before any Judge during the Assizes or in open Court at the Quarter Sessions in the county of Durham, and such Oath being so taken, or Declaration made, shall have the same force and effect to all intents and purposes as if taken or made before any Judge or Officer of or in any of the Courts abolished by this Act.

28. Extent of the words "County of Durham."

And be it further Enacted, That in the interpretation of the Clauses and Provisions hereinbefore contained, the words "County of Durham" shall comprise and mean the County of Durham and Sadberge, including the detached parts of Craikshire, Bedlingtonshire, Norhamshire and Islandshire, and all other places heretofore within the jurisdiction of the Bishop of Durham, in right of the said County Palatine.

29. Commencement of Act.

And be it further Enacted, That this Act shall, as to all the foregoing matters not otherwise provided for, commence and take effect upon and from the *Thirty-first* day of *October in this present year*, and shall, as to all the matters hereinafter provided for, commence and take effect from the *passing thereof*.

30. Reservation of all profits to the Bishoprick.

Provided always, and be it further Enacted, That nothing hereinbefore contained shall have the effect of severing or separating from the said Bishoprick any Lordship's manors, houses, lands, tenements, tithes, rents, collieries, mines, minerals, rectories, advowsons, profits or emoluments of any kind or description whatsoever, other than and except only any profits and emoluments hereinbefore expressly mentioned and directed to be severed therefrom.

31. The Bishop to take and hold subject to future provisions.

AND whereas on the fourth day of February and on the sixth day of June One thousand eight hundred and Thirty-five, His Majesty was pleased to issue Commissions to certain persons therein respectively named, for considering the state of the Established

Church in England and Wales with reference to ecclesiastical duties and revenues, and the Commissioners named in such Commissions have recommended certain measures relating to or which may affect the Bishoprick of Durham, and the said Commissioners may hereafter recommend other measures relative to or which may affect the said Bishoprick: And whereas the Bishoprick of Durham is now vacant by the death of the Right Reverend William, late Lord Bishop of Durham; and with the view and to the intent that any provisions which may be hereafter made for carrying into execution the recommendations of the said Commissioners may have full and immediate effect with reference to the said Bishoprick, it is expedient to provide that the successor and successors to the said Bishoprick shall take and hold the said Bishoprick, subject to the conditions and provisions hereinafter mentioned; BE it therefore Enacted, That from and after the *passing of this Act*, the Bishop of Durham for the time being shall take and hold the said Bishoprick, and all the property, patronage and rights belonging thereto, subject to and under any alterations or provisions which at any time hereafter shall or may be made by or under the authority of Parliament with respect to the extent or boundaries and jurisdiction of the said Bishoprick, or with respect to the disposition and application of the property and revenues of such Bishoprick, or any part of such property and revenues, either for augmenting the income of any other Bishoprick or Bishopricks, or for the erection and endowment of any new Bishoprick or Bishopricks, or otherwise, or with respect to the patronage of the said Bishoprick or any part of such patronage: Provided always, That in the meantime and until any such provisions and regulations shall have been so made as aforesaid, and subject and without prejudice to any provisions or regulations which for the time being shall have been so made, the Bishop of Durham for the time being shall and may have and exercise all the same powers of leasing and other powers, and all the same episcopal or ecclesiastical patronage as if this Act had not been passed: Provided nevertheless, That if any or either of the Prebends or Canonries in the Cathedral Church of Durham shall become vacant before any such provision or regulation as aforesaid applicable to the same shall have been made, the Bishop of Durham shall not collate thereto, but all the profits and emoluments thereof shall, until it shall be otherwise provided as aforesaid, be received and disposed of by the Treasurer for the time being of the Governors of the Bounty of Queen Anne, conformably with and subject to the provisions of an Act of Parliament made and passed in the fifth and sixth years of the reign of His present Majesty, intituled, "An Act for protecting the Revenues of Vacant Ecclesiastical Dignities, Prebends, Canonries and Benefices, without

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out cure of souls, and for preventing the lapse thereof during the pending Inquiries respecting the State of the Established Church in England and Wales."

32. Until provision shall be made, the Bishop to keep an account and to be accountable.

And be it further Enacted, That the Bishop of Durham for the time being shall, from the day of the confirmation of his election, keep a regular Account of all his receipts and disbursements, of what nature or kind soever, from, for or in respect of the said Bishoprick, and that such Account shall be produced when and as the same shall, by or under the authority of Parliament, be required to be so produced; and that the Bishop of Durham for the time being, and, in case of the death of any such Bishop, his representatives, shall be liable to account for and refund any part of his receipts arising from the said Bishoprick which he or they shall, by any order or direction to be made by or under the authority of Parliament as aforesaid, be required so to account for and refund, and shall accordingly account for and pay over the same at such time or times, and in such manner and to such person or persons, and to be applied and disposed of for such intents and purposes as in and by any such order or direction shall be provided and directed in that behalf.

33. Period for which the latter provisions are to be in force.

Provided always, and be it further Enacted, That the provisions hereinbefore contained for making the Bishop of Durham for the time being subject to any provisions, regulations, orders or directions to be made as aforesaid, shall extend and apply and be in force only with respect to such provisions, regulations, orders or directions as shall be made as aforesaid within the space of years after the *passing of this Act*; and that the provision hereinbefore contained respecting the disposal and the receipt of the profits and emoluments of any Prebends or Canonries in the Cathedral Church of Durham which shall become vacant, before any express provision or regulation respecting the same shall have been made as aforesaid, and until any such provision or regulation shall be so made, shall continue and be in force for the said space of years, and no longer.

Bishoprick of Durham.

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B I L L

For the more perfectly uniting to the Crown the County Palatine of Durham, and for the better Regulation of the Revenues belonging to the Bishoprick thereof.

(*Prepared and brought in by Mr. Chancellor of the Exchequer and Lord John Russell.*)

Ordered, by The House of Commons, *to be Printed* 25 *March* 1836.

27 *April* 1836.—6 WILL. IV.

A

B I L L

[AS AMENDED BY THE COMMITTEE]

For the more perfectly uniting to the Crown the County Palatine of *Durham*, and for the better Regulation of the Revenues belonging to the Bishoprick thereof.

[N. B.—*The Clause marked* (A.) *was added by the Committee.*]

WHEREAS it is expedient to put an end to the separate palatine jurisdiction of the County Palatine of *Durham*, and to make certain provisions respecting the said County Palatine; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, THAT from and after the commencement of this Act, the palatine jurisdiction heretofore exercised by the Bishop of *Durham* shall cease and be determined; and the authority and jurisdiction of all and every Person and Persons whomsoever deriving authority from or under the Bishop of *Durham*, in right of the said County Palatine, shall in like manner cease and determine; and that all forfeitures of lands or goods for treason or otherwise, and all mines of gold and silver, treasure trove, deodands, escheats, fines and amerciaments, and all *jura regalia* of what nature or kind soever, which, if this Act were not passed, would or might belong to the Bishop of *Durham* for the time being, in right of the said County Palatine, shall from and after the passing of this Act be re-vested in and belong to His Majesty, His heirs and successors; and that from and after the passing of this Act, the Bishop of *Durham* for the time being, in virtue of his Bishoprick, shall have and exercise episcopal and ecclesiastical jurisdiction only.

Preamble.

1. Palatine Jurisdiction of the Bishop of Durham to cease.

2. Certain Acts repealed.

AND whereas by an Act passed in the twenty-seventh year of the reign of his Majesty King HENRY the Eighth, intituled, "An Act for continuing of certain Liberties and Franchises heretofore taken from the Crown," it was enacted, that the Bishop of *Durham* for the time being should be a Justice of the Peace for the said County Palatine; and by an Act passed in the Fifth year of the reign of Her Majesty Queen ELIZABETH, certain powers are given to the Justices of Assize for the County of *Durham*, and by an Act passed in the Thirty-first year of the same reign it is enacted that certain Writs shall be directed to the said Bishop; BE it Enacted, That the said Acts, so far as the same are hereinbefore recited, shall be Repealed.

3. Jurisdiction of the Court of Chancery and Court of Pleas at Durham to cease.

Suits to be transferred.

And be it further Enacted, That from and after the commencement of this Act, all the power, authority and jurisdiction of the Court of Chancery at *Durham*, and of the Chancellor of the same Court, and of the Court of Pleas at *Durham*, and of the Judges of the same Court, shall cease and determine; and that all suits then depending in any of the said Courts, and all proceedings thereon, shall be transferred, those in the said Court of Chancery at *Durham* to His Majesty's High Court of Chancery, and those in the Court of Pleas at *Durham* to His Majesty's Court of Exchequer, to be there respectively dealt with and decided according to the practice of His Majesty's said Courts respectively, or according to the practice of the Court from whence the same shall be transferred, as to the judgment of His Majesty's said Courts may seem fit; which said Courts of His Majesty shall, for the purpose of such suits and all proceedings thereon, be deemed and taken to have all the power and jurisdiction to all intents and purposes possessed before the passing of this Act by the Court from which the same shall be removed: Provided always, That nothing herein contained shall have the effect of preventing any appeal from or against any decision made prior to the commencement of this Act.

4. Offices expressly abolished.

And be it further Enacted and Declared, That from and after the commencement of this Act, the several offices of Temporal Chancellor, Justices itinerant within the said County Palantine, Attorney-General, Solicitor-General, Registrar of the Court of Chancery, Examiner of the said Court, Cursitor of the same Court, and Prothonotary of the Court of Pleas respectively in the said County Palatine, and also the office of Clerk of the Court of the County of *Durham* (subject and without prejudice as aforesaid) shall cease and be abolished, but that in the mean time the said offices shall continue, and that the several persons who now hold the said offices shall continue to discharge the duties thereof.

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5.
CLAUSE (A.) County Court to cease.

And be it further Enacted, That from and after the commencement of this Act, all the power, authority and jurisdiction of the Court, called "the Court of the County of *Durham*," and of the Clerk of the Court of the County of *Durham*, as Judge of the same Court or otherwise, shall cease and determine; subject nevertheless and without prejudice to any proceedings then depending in such Court, as to which the authority and jurisdiction of the said Court and of the present Clerk of the said Court shall continue in full force and effect, notwithstanding the passing of this Act; and in case of the death or removal from office of the present Clerk of the said Court whilst any such proceedings as aforesaid shall be still depending therein, the Under-sheriff of the said County shall and may, for the purpose of any such proceedings, act as Judge of the said Court, and exercise the same power, authority and jurisdiction as the present Clerk of the said Court might have exercised if still living and continuing in office.

6.
Custos Rotulorum to be appointed.

And be it further Enacted and Declared, That after the passing of this Act, it shall be lawful for His Majesty, His heirs and successors, to appoint a Custos Rotulorum of the said county of *Durham*, and from time to time to appoint to that office on every future vacancy thereof.

7.
Sheriff to be appointed by the Crown, but in the meantime the present Sheriff to remain in office.

And be it further Enacted, That after the passing of this Act, it shall be lawful for His Majesty, His heirs and successors, from time to time to nominate and appoint the Sheriff of the said county of *Durham*, in like manner as in the cases of Sheriffs of other counties in *England*, but that the present Sheriff shall continue in office, and he is hereby appointed to hold the said office, until such time in the present year, or in the year One thousand eight hundred and Thirty-seven, as a new Sheriff of the said county shall be appointed as aforesaid, in like manner as the Sheriffs of other counties in *England* hold their respective offices; and that from and after the passing of this Act, the present Sheriff of the said county, and his Under-sheriff and Officers, and every future Sheriff to be appointed as aforesaid, and his Under-sheriff, shall have the same power, authority and jurisdiction, to all intents and purposes whatsoever, including the authority and jurisdiction to hold a County Court, as is exercised by Sheriffs and Under-sheriffs of other counties in *England*; and shall be subject and liable to the same laws in all respects as such other Sheriffs and Under-sheriffs.

8.
Coroners.

Provided always, and be it further Enacted, That the present Coroners of the four Wards respectively, called *Easington* Ward, *Chester* Ward, *Stockton* Ward, and *Darlington* Ward, in the said county of *Durham*, shall continue Coroners of the same Wards respectively

tively during their respective lives, or so long as they shall respectively well behave themselves; and that upon and after the death, removal or resignation of the Coroner, either of *Easington* Ward or of *Chester* Ward, the Coroner of the other of such Wards shall hold and fulfil the office of Coroner of both the same Wards during his life, or so long as he shall well behave himself; and that after the death, removal or resignation of the Coroners of both the last-mentioned Wards, a Coroner shall from time to time be chosen for the Northern Division of the said county of *Durham*, in like manner as Coroners are chosen in the case of other counties or divisions of counties in *England*; and that after the death, removal or resignation of the Coroner, either of *Stockton* Ward or of *Darlington* Ward, the Coroner of the other of the same Wards shall hold and fulfil the office of both the same Wards during his life, or so long as he shall well behave himself; and that after the death, removal or resignation of the Coroners of both the last-mentioned Wards, a Coroner shall from time to time be chosen for the Southern Division of the said county of *Durham*, in like manner as Coroners are chosen in the case of other counties or divisions of counties in *England*: Provided always, That until Coroners shall be chosen as aforesaid both for the said Northern Division and for the said Southern Division respectively, and also whensoever at any subsequent time one of the said Coronerships shall be vacant, any Coroner who shall be chosen for one of the same divisions shall, if so chosen for the Northern Division, act as and be Coroner for the said *Easington* and *Chester* Wards, and not for any other district, and shall, if so chosen for the Southern Division, act as and be Coroner for the said *Stockton* and *Darlington* Wards, and not for any other district.

9. Recompense to Coroners.

And be it Enacted, That from and after the commencement of this Act, the said Coroners for the time being shall be entitled to demand and take the same fees, recompense and benefit as are given to or provided for Coroners by an Act made and passed in the twenty-fifth year of the reign of his late Majesty King George the Second, intituled, "An Act for giving a proper Reward to Coroners for the due Execution of their Office, and for the Removal of Coroners, on lawful conviction, of certain Misdemeanors," and shall as such Coroners be subject to all the provisions of the said Act; and that so much of the said Act which provides that no Coroner of the County Palatine of *Durham* shall be entitled to any fee, recompense or benefit given to or provided for Coroners by that Act, shall be and the same is hereby Repealed.

10. Clerk of the Peace.

Provided also, and be it further Enacted, That the present Clerk of the Peace for the said county of *Durham* shall be and he is hereby

hereby appointed Clerk of the Peace for the said county during his life, or until resignation or other determination of his office, and that thenceforth the Clerk of the Peace for the said county shall from time to time be appointed by the Custos Rotulorum for the time being of the said county, and shall be subject and liable to the same laws in all respects as the Clerks of the Peace in other Counties of *England*.

11. Gaoler.

Provided also, and be it further Enacted, That the present Gaoler or Keeper of the common gaol of the said county shall be and he is hereby continued in his office, and that from and after the commencement of this Act the powers of appointing, paying and dismissing the Gaoler or Keeper for the time being of the common gaol of the said county shall be exercised in the same manner as in other counties of *England*.

12. Clerk of the Crown.

Provided also, and be it further Enacted, That the present Clerk of the Crown for the said county of *Durham* shall be and remain, and he is hereby appointed Clerk of the Crown for the said county during his life, if he shall so long behave himself well in his office, or until resignation or other determination of his office, and shall continue to discharge the duties of his office in the same manner as heretofore, and shall receive and be paid the same allowances and sums of money as he is now entitled to by virtue of his said office; and that after his vacation of the said office, the office shall cease, and the duties of it shall be exercised by the Clerk of Assize of the Northern circuit.

13. Attorney-General and Solicitor-General of Durham.

Provided also, and be it further Enacted, That the several persons who at the time of the decease of the late Bishop of *Durham* held the offices of Attorney-General and Solicitor-General for the said county of *Durham*, shall, unless and until His Majesty's pleasure shall be otherwise declared, continue (within the said county of *Durham*) to have the same rank and name of office which they have hitherto enjoyed, save and except such fees as would cease with the abolition of the courts and jurisdictions abolished by this Act.

14. Right of Attornies and Solicitors of Durham still to practise in Durham.

And be it further Enacted, That all persons who at the time of the passing of this Act shall have been admitted as Solicitors or Attornies, and shall then be practising as such in the Court of Chancery or the Court of Pleas at *Durham*, shall be entitled, upon the payment of One Shilling, to have their names entered upon a roll, to be kept for that purpose in each of the Superior Courts of *Westminster*, and thereupon be allowed to practise in such Courts in all actions and suits against persons residing at the commence-

ment of the suit within the county of *Durham*; and that all persons having served or now actually serving as Clerks to such Solicitors or Attornies under articles, and who would otherwise be entitled to be admitted as Solicitors or Attornies of the said Courts of *Durham*, may, on or before the expiration of Six Months after the passing of this Act, be admitted as Solicitors or Attornies of the said Courts at *Westminster* for the purpose of practising there in the like matters only, without payment of any greater duty than would be now payable by law upon their admission as Attornies of such Courts of *Durham* respectively.

15. Attornies and Solicitors of Durham may be admitted at Westminster, on payment of limited Duties.

And be it further Enacted, That all Attornies and Solicitors now actually admitted and practising in the said Courts of *Durham* respectively, may be admitted as Attornies or Solicitors of the said Courts at *Westminster*, in like manner as is now or may be hereafter prescribed for the admission of other persons as Attornies and Solicitors therein, upon payment of such sum for duty, in addition to the sum already paid by them in that behalf, as shall, together with such latter sum, amount to the full duty required upon the admission of Attornies or Solicitors in the said Courts at *Westminster*, and that all persons having served or now actually serving under articles as Clerks to such Attornies or Solicitors of the said Courts of *Durham* respectively, may, at the expiration of their respective times of service, be admitted as Attornies or Solicitors of the said Courts at *Westminster*, in like manner and upon payment of the like duty as if they had served under articles as Clerks to Attornies of the last-mentioned Courts.

16. Provision as to Masters Extraordinary and others authorized to take Affidavits in Durham.

And be it further Enacted, That any person who shall have been duly appointed a Commissioner for taking Affidavits, or a Master Extraordinary in Chancery of any of the Courts abolished by this Act, shall, upon producing or proving his appointment before the proper Officer, and upon the payment of One Shilling, be entitled to have his name inserted in a List to be kept for that purpose of such Commissioners or Masters Extraordinary, as the case may be, and to exercise within the limits of his existing commission or commissions the same power and authority and for the same purposes as if his commission had issued from one of His Majesty's Courts at *Westminster*.

17. Jurisdiction of the Courts at Westminster extended to Durham.

And be it further Enacted, That from and after the commencement of this Act, His Majesty's Writ shall be directed and obeyed, and the jurisdiction of His Majesty's Courts of King's Bench, Common Pleas and Exchequer respectively, and of the several Judges and Barons thereof, shall extend and be exercised over and within the county of *Durham*, in the like manner, to the same extent

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extent and to and for all intents and purposes whatsoever, as the jurisdiction of such Courts respectively is now exercised in and over other counties of *England*, not being Counties Palatine, any statute heretofore passed to the contrary notwithstanding; and that all Writs to be issued into the said county of *Durham*, and the process and proceeding thereon, shall respectively be issued by and transacted with such of the Officers of the several Courts of King's Bench, Common Pleas and Exchequer as shall be named for that purpose by the Chief Justices and Chief Baron of such Courts respectively, each naming for his own Court.

18. Assizes to be held in Durham.

And be it further Enacted, That from and after the time herein appointed for the commencement of this Act, Courts shall be held for the trial and despatch of all matters, criminal and civil, within the said county of *Durham*, under and by virtue of Commissions of Assize, Oyer and Terminer, Gaol Delivery, and other Writs and Commissions to be issued in like manner and form as hath been usual for the other counties in *England*, and all laws and statutes now in force relating to the execution of such Commissions when issued for counties in *England* shall extend and be applied to the execution of the Commissions issued for the county of *Durham* under the authority of this Act.

19. Statute 7th & 8th Geo. 4, c. 71, s. 7. repealed, as to Durham.

AND whereas by an Act passed in the seventh and eighth years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to prevent Arrests upon Mesne Process when the Debt or Cause of Action is under Twenty Pounds, and to regulate the Practice of Arrests," it was amongst other things enacted, that no Sheriff or other Officer within the County Palatine of *Durham* should, upon any Mesne Process issuing out of any of His Majesty's Courts of Record at *Westminster*, after the date therein mentioned, arrest or hold any person to special bail, unless such Process should be duly marked and indorsed for bail in a sum not less than Fifty Pounds; BE it Enacted, That the last-mentioned Act, so far as the same is hereinbefore recited, shall be and the same is hereby Repealed.

20. Compensation to persons affected by the provisions of the Act.

AND whereas it is expedient that due provision shall be made for the Compensation of any person or persons having a freehold in his or their office or offices in the county of *Durham*, for the losses he or they may sustain by the abolition of his or their office or offices, or reduction of his or their fees, by virtue or in consequence of this Act; BE it therefore Enacted, That from and after the commencement of this Act there shall be issued, paid and payable out of and charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the person or the several persons appointed before the Twenty-fourth day of May One thousand

eight hundred and Thirty, and having a freehold interest in such offices in the county of *Durham* as shall be abolished or affected by virtue of this Act, free and clear of all taxes and deductions whatsoever, such sums of money at such times, by way of annuity or otherwise, as shall be adjudged and determined to be due to such person or persons respectively by any Commission to be appointed by His Majesty, or by virtue of any Act of Parliament, for the purpose of determining the amount of the Compensation that ought to be due and payable in such cases, and that in the meantime, and until Compensation shall be awarded and determined in manner aforesaid, or the time shall have elapsed that may be appointed for claiming the same, it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three of them, to issue their Warrants for the payment to such person or persons as aforesaid, out of the said Consolidated Fund, of such half-yearly or quarterly allowances as to the said Commissioners shall seem reasonable, both as to the amount and times of payment on account of such Compensation, as may thereafter be awarded to the said parties respectively.

21. Restrictions as to Compensations.

Provided always, and be it further Enacted, That no person shall be entitled to receive any such Compensation or allowance as aforesaid who shall not previously make a full and true statement to the said Commissioners of His Majesty's Treasury, to be verified on oath before a Judge or Master or Master Extraordinary in Chancery, if they shall think fit so to direct, of the amount of the salary, fees and emoluments of such office, and of the disbursements and outgoings of the same for the space of Ten Years before the passing of this Act, and that such Compensation or allowance shall cease altogether or be reduced in amount, as the case may be, whenever the party entitled to receive the same shall be placed in any other public office of which the salary and emoluments shall be equal to the whole or to part of such Compensation or allowance, so that in the last-mentioned case no person shall be entitled to receive more of such Compensation or allowance than shall be equal to the difference between the full amount thereof and the amount of the salary and emoluments of the office in which he may be hereafter placed.

22. Custody of the Records of the Courts abolished.

And be it further Enacted, That the Records, Muniments and Writings of the several Courts abolished by this Act or deposited in the several offices belonging to such Courts shall, until otherwise provided by law, be kept by the same persons and in the same places as before the passing of this Act, and that the Court of Common Pleas at *Westminster* shall have the like power and authority to amend the Records of fines and recoveries passed heretofore

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in the Court of Pleas at *Durham*, as if the same had been levied, suffered or had in the Court of Common Pleas: Provided always, That in case of the death or removal from office, by virtue of this Act or otherwise, of any such person before any other provision shall have been made for keeping such Records, Muniments and Writings, the custody thereof shall be with the Clerk of the Peace of the county of *Durham*: Provided also, That the said Records, Muniments and Writings shall not be removed from the City of *Durham*.

23. Reservation of Patent Fees to Patentees for life.

Provided always, and be it further Enacted, That nothing in this Act contained shall affect the right of any person holding a Patent for his life of any office, whether abolished by this Act or not, to receive during his life any fee or stipend granted by such Patent out of the Revenues of the Bishoprick of *Durham*.

24. Land-tax on abolished Offices discharged.

And be it further Enacted, That from the Fifth day of April One thousand eight hundred and Thirty-six, the Land-tax charged on any Offices intended to be hereby abolished shall cease to be payable, and that the parish of Saint *Mary-le-Bow*, adjoining to the Castle of *Durham* (by which parish such Land-tax has been hitherto collected), and the said Bishoprick, and all persons heretofore charged with the same, shall be discharged therefrom.

25. Provisions as to Oaths required to be taken before Judges of Courts which are abolished.

And be it further Enacted, That where by any law, charter or usage any corporate or other officer or person hath been accustomed or ought to take an Oath or make any Declaration before any Judge or Officer of or in any of the Courts abolished by this Act, such officer or person may and shall take the same Oath or make the same Declaration before any Judge during the Assizes or in open Court at the Quarter Sessions in the county of *Durham*, and such Oath being so taken, or Declaration made, shall have the same force and effect to all intents and purposes as if taken or made before any Judge or Officer of or in any of the Courts abolished by this Act.

26. Extent of the words "County of Durham."

And be it further Enacted, That in the interpretation of the Clauses and Provisions hereinbefore contained, the words "County of *Durham*" shall comprise and mean the County of *Durham* and *Sadberge*, including the detached parts of *Craikshire*, *Bedlingtonshire*, *Norhamshire* and *Islandshire*, and all other places heretofore within the jurisdiction of the Bishop of *Durham*, in right of the said County Palatine.

27. Commencement of Act.

And be it further Enacted, That this Act shall, as to all the foregoing matters not otherwise provided for, commence and take

 effect

effect upon and from the day of in this present year, and shall, as to all the matters hereinafter provided for, commence and take effect from the passing thereof.

28. Reservation of all profits to the Bishoprick.

Provided always, and be it further Enacted, That nothing hereinbefore contained shall have the effect of severing or separating from the said Bishoprick any lordships, manors, houses, lands, tenements, tithes, rents, collieries, mines, minerals, rectories, advowsons, profits or emoluments of any kind or description whatsoever, whether held in right of the said Bishoprick, or in right of the said County Palatine, or otherwise howsoever, other than and except only any profits and emoluments hereinbefore expressly mentioned and directed to be severed therefrom.

29. The Bishop to take and hold subject to future provisions.

And be it further Enacted, That from and after the passing of this Act, the Bishop of *Durham* elect or Bishop of *Durham* for the time being shall take and hold the said Bishoprick, and all the property, patronage and rights belonging thereto, except as hereinbefore provided, subject to and under any provisions which shall be made by or under the authority of Parliament with respect to the said Bishoprick, within the space of Three Years next after the passing of this Act; any Statute or Canon to the contrary notwithstanding.

Bishoprick of Durham.

A

B I L L

[AS AMENDED BY THE COMMITTEE]

For the more perfectly uniting to the Crown the County Palatine of *Durham*, and for the better Regulation of the Revenues belonging to the Bishoprick thereof.

(*Prepared and brought in by Mr. Chancellor of the Exchequer and Lord John Russell.*)

Ordered, by The House of Commons, *to be Printed,* 27 *April* 1836.

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B I L L

For improving the Practice and Proceedings in the Court of Pleas in the County Palatine of Durham and Sadberge.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS various Alterations and Improvements have recently been made by the Authority of Parliament, and otherwise, in the Practice and Proceedings of the Superior Court sof Common Law at Westminster and in the Court of Common Pleas of the County Palatine of Lancaster; and it is expedient that similar Alterations and Improvements should be effected in the Practice and Proceedings of the Court of Pleas of the County Palatine of Durham and Sadberge; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT the process in all Actions hereafter to be prosecuted in the Court of Pleas at Durham, where it is not intended to hold the Defendant to special bail, and where it is not intended to attach the Defendant's goods and chattels under and by virtue of a Writ of Pone per vadios, shall, whether the Action be brought by or against any Person entitled to the Privilege of Peerage or of Parliament, or of the said Court, or of any other Court, or to any other privilege, or by or against any other Person, be according to the Form contained in the Schedule to this Act annexed, marked Number 1, and shall be called a Writ of Summons; and in every such Writ and Copy thereof the place of residence or supposed residence of the Party Defendant, or wherein the Defendant shall be or shall be supposed to be, shall be mentioned; and such Writ shall be issued by the Prothonotary

Preamble.

1. Serviceable Process for the commencement of Personal Actions.

notary of the said Court or his Deputy, and shall be served in the manner heretofore used in the County Palatine of Durham and Sadberge, and not elsewhere; and the Person serving the same shall and is hereby required within *Three* Days after service thereof to indorse on the Writ the day of the month and week of the service thereof.

2. Mode of proceeding by Pone per vadios for the commencement of Personal Actions.

And be it further Enacted, That the Process in all Actions on Promises or of Debt, or other description of Action, hereafter to be prosecuted in the said Court of Pleas by Writ of Pone per vadios, whether bailable or not bailable, shall be in the Form mentioned in the said Schedule and marked Number 2; and every such Writ of Pone per vadios in all Actions on Promises, shall as heretofore be issued by the Cursitor of the said Court of Chancery or his Deputy; and every such Writ of Pone per vadios in all Actions of Debt, or other description of Action, shall as heretofore be issued by the Prothonotary of the said Court of Pleas or his Deputy; and every such Writ of Pone per vadios, and every renewal thereof, shall be made returnable at the Court of Pleas next following the issuing thereof, and shall bear teste not less than *Fifteen* Days before the return thereof, and shall be executed in the manner heretofore used in the said County Palatine of Durham, and shall be of the same force and effect as Writs of Pone per vadios issued out of the said Courts or either of them, before the *passing of this Act*; and the same time shall be allowed to the Defendant or Defendants for putting in and perfecting special bail to such Writ of Pone per vadios, as is now allowed by the practice of the said Court, unless the said Court shall hereafter by rule or order of the said Court otherwise direct: Provided always, That it shall be lawful for the Plaintiff or his Attorney, where after the issuing of any such Writ of Pone per vadios, whether bailable or not bailable, it is ascertained that the Defendant or Defendants against whose goods and chattels such Writ of Pone per vadios has issued has or have not any goods or chattels which can be attached, to order the Sheriff or other Officer or Person to whom such Writ of Pone per vadios shall be directed, to serve a Copy thereof on such Defendant or Defendants, which order shall be duly obeyed by such Sheriff or other Officer or Person, and such service shall be of the same force and effect as the service of the Writ of Summons hereinbefore mentioned and no other.

3. Mode of appearance to Serviceable Process.

And be it further Enacted, That the mode of appearance to every such Writ of Summons issued under the authority of this Act, and to every such Writ of Pone per vadios, where it is not intended by such last-mentioned process to hold the Defendant to special bail, shall be by delivering to the said Prothonotary or his Deputy a memorandum in writing, dated on the day of the delivery thereof, according to the Form contained in the said Schedule, and marked Number 3.

And

4. Appearance may be enforced by Writ of Distringas, in case a Defendant cannot be served with Writ of Summons or with Writ of Pone per vadios.

And be it further Enacted, That in case it shall be made appear by affidavit to the satisfaction of the said Court that any Defendant has not been personally served with any such Writ of Summons as hereinbefore mentioned, or with such Writ of Pone per vadios as hereinbefore is provided for, and has not according to the exigency of either of such Writs appeared to the action, and cannot be compelled so to do without some more efficient process, then and in any such case it shall be lawful for such Court by rule or order to order a Writ of Distringas to be issued, directed to the Sheriff of the said County of Durham, or to any other Officer to be named in such rule or order, to compel the appearance of such Defendant; which Writ of Distringas shall be in the Form and with the Notice subscribed thereto mentioned in the said Schedule, and marked Number 4; which Writ of Distringas and Notice, or a copy thereof, shall be served on such Defendant, if he can be met with, or if not shall be left at the place where such Distringas shall be executed; and a true copy of every such Writ and Notice shall be delivered together therewith to the Sheriff or other Officer to whom such Writ shall be directed; and every such Writ shall be made returnable on a certain day to be named therein, not being less than *Fifteen* Days after the teste thereof; and if such Writ of Distringas shall be returned Non est inventus and Nulla bona, and the Party issuing out such Writ of Distringas shall not intend to proceed to outlawry or waiver, according to the authority hereinafter given, and any Defendant against whom such Writ of Distringas issued shall not appear at or within *Eight* Days inclusive after the return of such Writ of Distringas, and it shall be made appear by affidavit to the satisfaction of the said Court that due and proper means were taken and used to serve and execute such Writ of Distringas, it shall be lawful for such Court to authorize the Party suing out such Writ of Distringas to enter an appearance for such Defendant, and to proceed thereon to judgment and execution.

5. Bailable Process for the commencement of Personal Action.

And be it further Enacted, That in all actions wherein it shall be intended to arrest and hold any person to special bail, who may not be in custody of the Keeper of the Gaol of the said County, the Process shall be by Writ of Capias, according to the Form contained in the said Schedule, and marked Number 5, and such Writ shall be issued by the Prothonotary of the said Court or his Deputy; and so many copies of such Process, together with every memorandum or notice subscribed hereto, and all indorsements thereon, as there may be persons intended to be arrested thereon or served therewith, shall be delivered therewith to the Sheriff or other Officer or Person to whom the same may be directed, or who may have the execution and return thereof, and who shall upon or forthwith after the execution of such Process, cause one such copy to be delivered to every Person upon whom such Process shall be executed by him, whether by service or arrest, and shall indorse upon such Writ the true day of the execution thereof,

whether by service or arrest; and if any Defendant be taken or charged in custody upon any such Process, and imprisoned for want of sureties for his appearance thereto, the Plaintiff in such Process may, after the detention or arrest of such Defendant, declare against such Defendant, and proceed thereon according to the course and practice of the said Court: Provided always, That it shall be lawful for the Plaintiff or his Attorney to order the Sheriff or other Officer or Person to whom such Writ shall be directed, to arrest one or more only of the Defendants therein named, and to serve a copy thereof on one or more of the others, which order shall be duly obeyed by such Sheriff or other Officer or Person; and such service shall be of the same force and effect as the service of the Writ of Summons hereinbefore mentioned, and no other.

6. Bailable Capias may issue in case a Defendant has not any goods and chattels which can be attached under Writ of Pone.

Provided always, and be it Enacted, That where it is intended to hold the Defendant to special bail by any such Writ of Pone per vadios, and any Defendant against whom such Writ of Pone has issued, has not any goods or chattels in the said County of Durham which can be attached under such Process, and if such Writ of Pone per vadios shall be returned Nulla bona, it shall and may be lawful for the Plaintiff or his Attorney, either before or after the return of such Writ of Pone per vadios, to issue against such Defendant the Writ of Capias hereinafter mentioned.

7. Proceedings to Outlawry.

And be it further Enacted, That upon the return of Non est inventus as to any Defendant against whom such Writ of Capias shall have been issued, and also upon the return of Non est inventus and Nulla bona as to any Defendant against whom such Writ of Distringas as hereinbefore mentioned shall have issued, whether such Writ of Capias or Distringas shall have issued against such Defendant only, or against such Defendant and any other Person or Persons, it shall be lawful, until otherwise provided for, to proceed to outlaw or waive such Defendant by Writ of Exigi facias and Proclamations, and otherwise, in such and the same manner as may now be lawfully done upon the return of Non est inventus to a Pluries Writ of Capias ad respondendum issued after an original Writ: Provided always, That every such Writ of Exigent, Proclamation and other Writ subsequent to the Writ of Capias or Distringas, shall be made returnable on a day certain to be named therein; and every such first Writ of Exigent and Proclamation shall bear teste on the day of the return of the Writ of Capias or Distringas; and every subsequent Writ of Exigent and Proclamation shall bear teste on the day of the return of the next preceding Writ; and no such Writ of Capias or Distringas shall be sufficient for the purpose of Outlawry and Waiver, if the same be returned within less than *Fifteen* Days after the delivery thereof to the Sheriff or other Officer to whom the same shall be directed.

And

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8. Proceedings to Outlawry may be had after judgment given under the authority of this Act.

And be it further Enacted, That after judgment given in any action commenced by Writ of Summons or Capias under the authority of this Act, or by Writ of Pone per vadios, proceeding to Outlawry or Waiver may be had and taken, and judgment of Outlawry or Waiver given, in such manner and in such cases as may now be lawfully done after judgment in an action commenced by original Writ: Provided always, That every Outlawry or Waiver had under the authority of this Act, shall and may be vacated or set aside by Writ of Error or Motion, in like manner as Outlawry or Waiver founded on an original Writ may now be vacated or set aside.

9. Mode of detaining a Prisoner in the custody of the Keeper of the Gaol.

And be it further Enacted, That when it shall be intended to detain in any such action any Person being in the custody of the Keeper of the Gaol for the said County of Durham, the Process of Detainer shall be according to the Form of the Writ of Detainer contained in the said Schedule, and marked Number 6; and a copy of such Process, and of all the Indorsements thereon, shall be delivered, together with such Process, to the Keeper of the said Gaol, who shall forthwith serve such copy upon the Defendant personally, or leave the same at his room; and the declaration thereupon shall and may allege the Prisoner to be in custody in the said Gaol; and the subsequent proceedings shall be as against Prisoners in custody upon mesne process, according to the practice of the said Court, unless otherwise ordered by some rule to be made by the Justices of the said Court.

10. Duration of Writs of Summons and Capias.

And be it further Enacted, That no Writ of Summons nor Writ of Capias issued by authority of this Act shall be in force for more than *Four* calendar Months from the day of the date thereof, including the day of such date; but every Writ of Summons and Capias, and also of Pone per vadios, may be continued by Alias and Pluries as the case may require, if any Defendant therein named may not have been arrested thereon or served therewith, or his goods attached thereby: Provided always, That no first Writ shall be available to prevent the operation of any statute whereby the time for the commencement of the action may be limited, unless the Defendant shall be arrested thereon, or served therewith, or his goods attached thereby, or proceedings to or towards outlawry shall be had thereupon, or unless such Writ, and every Writ (if any) issued in continuation of a preceding Writ, shallbe returned Non est inventus or Nulla bona, and entered of record within *One* calendar Month next after the expiration thereof, including the day of such expiration; and unless every Writ issued in continuation of a preceding Writ shall be issued within *One* such calendar Month after the expiration of the preceding Writ, and shall contain a memorandum indorsed thereon or subscribed thereto, specifying the day of the date of the first Writ, and return to be made in

Provision as to Statute of Limitations.

bailable process by the Sheriff or other Officer to whom the Writ shall be directed, or his successor in office, and in process not bailable by the Plaintiff or his Attorney suing out the same, as the case may be.

11. Duration of and provision as to Writs of of Pone.

Provided always, and be it Enacted, That no Writ of Pone per vadios hereinbefore mentioned shall be in force longer than the return thereof, but every such Writ of Pone per vadios may be continued by Alias or Pluries as the case may require, if the goods and chattels of any Defendant therein named have not been attached thereby; and every such Writ of Alias and Pluries Writ of Pone shall be issued by the Prothonotary of the said Court or his Deputy, and shall be of the same form and of the same force and effect as the first Writ: Provided always, That no such Writ of Alias or Pluries shall issue unless the Sheriff of Durham or other Officer or Person to whom the same may be directed, or who may have the execution and return thereof, shall return that such first Writ, and every Writ (if any) issued in continuation of a preceding Writ, has not been executed; and every such Writ so returned as aforesaid shall be filed in the Prothonotary's Office of the said Court of Pleas.

12. Proceedings on Writs served or executed at certain times;

proviso for Sunday, &c.

And be it further Enacted, That when any Writ of Summons, Capias or Detainer issued by authority of this Act, shall be served or executed, all necessary proceedings to judgment and execution may be had thereon without delay at the expiration of *Eight* Days from the service or execution thereof: Provided always, That if the last of such *Eight* Days shall in any case happen to fall on a Sunday, Christmas-day, Good Friday or any day appointed for a public fast or thanksgiving, in any of such cases the following day shall be considered as the last of such *Eight* Days.

13. Date and Teste of Writs.

And be it further Enacted, That every Writ of Pone per vadios hereinbefore mentioned, and all other Writs issued by and out of the said Court of Chancery, shall as heretofore be tested in the name of the Bishop of Durham, or in case of a vacancy of the See of Durham by death, or otherwise, in the name of the temporal Chancellor for the said County Palatine for such time only as the said See shall remain vacant; and every Writ of Summons and Capias shall bear date on the day on which the same shall be issued; and every Writ of Summons, Capias, Distringas, and Alias and Pluries Writ of Pone per vadios, and all other Writs hereafter to be issued out of the said Court of Pleas, shall be tested in the name of the senior Judge of the then last Assize of and for the said County; and that the name or firm and the place of business or residence of the Attorney or Attornies issuing such Writs, shall be indorsed thereon; and where such Attorney or Attornies shall be agents only, then there shall be further indorsed thereon the name or firm and place of business or residence of the principal

Indorsement of the Name, &c. of the Attorney or Party suing.

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principal Attorney or Attornies; but in case no Attorney or Attornies shall be employed for that purpose, then a memorandum shall be indorsed thereon, expressing that the same has been sued out by the Plaintiff in person, mentioning the city, town or parish, and also the name of the hamlet, street and number of the house of such Plaintiff's residence, if any such there be.

14. Service of Writs of Summons on Corporations, and on Inhabitants of Hundreds and Towns.

And be it further Enacted, That every such Writ of Summons issued against a Corporation aggregate, may be served on the Mayor or other head officer, or on the Town Clerk, Treasurer or Secretary of such Corporation; and every such Writ issued against the Inhabitants of a hundred or other like district, may be served on the High Constable thereof, or on any one of the High Constables thereof; and every such Writ issued against the Inhabitants of the County of Durham, or the Inhabitants of any franchise, liberty, town or place not being part of a hundred or other like district, on some Peace Officer thereof.

15. Proceedings in default of appearance.

And be it further Enacted, That all such proceedings as are mentioned in any Writ, Notice or Warning issued under this Act, or in any Notice or Warning required to be given by the said Court of Pleas on the execution of Writs of Pone per vadios, shall and may be had and taken in default of a Defendant's appearance or putting in special bail, as the case may be.

16. Attorney to declare whether Writ issued by his authority, and Name, &c. of his Client if ordered; if Writ not issued by authority of the Attorney, Defendant and Defendant's goods may be discharged.

And be it further Enacted, That every Attorney whose name shall be indorsed on any Writ issued by authority of this Act, shall on demand in writing made by or on behalf of any Defendant, declare forthwith whether such Writ has been issued by him or with his authority or privity, and if he shall answer in the affirmative, then he shall also, in case the said Court shall by rule or order so order and direct, declare in writing within a time to be allowed by such Court, the profession, occupation or quality and place of abode of the Plaintiff, on pain of being guilty of a contempt of the said Court; and if such Attorney shall declare that the Writ was not issued by him or with his authority or privity, the said Court shall and may, if it shall appear reasonable so to do, make an order for the immediate discharge of any Defendant or Defendants who may have been arrested on any such Writ, or for the immediate discharge of his or their goods and chattels which may have been attached under any such Writ, on entering a common appearance.

17. Proviso for Persons privileged from Arrest.

Provided always, and be it further Enacted, That nothing in this Act contained shall subject any Person to Arrest, Attachment of Goods, Outlawry or Waiver, who by reason of any privilege, usage or otherwise, may now by law be exempt therefrom, or shall extend, save and

except as hereinafter is provided for, to any cause removed into the said Court by Writ of Pone loquelam, Recordari facias loquelam, or otherwise.

18. Writs hereinbefore authorized to be the only Writs for commencement of Personal Actions.

And be it further Enacted, That from the time when this Act shall commence and take effect, the Writs hereinbefore authorized shall be the only Writs for the commencement of Personal Actions in the said Court, in the cases to which such Writs are applicable.

19. Power to state a special case without proceeding to Trial.

And be it further Enacted, That it shall be lawful for the Parties in any action depending or to be depending in the said Court of Pleas at Durham after issue joined by consent, and by order of the said Court, to state the facts of the same in the form of a special case, for the opinion of one of the Superior Courts of Common Law at Westminster, and to agree that a judgment shall be entered for the Plaintiff or Defendant by confession or Nolle prosequi, immediately after the decision of the case, or otherwise, as the Court before whom such case shall be heard may think fit; and judgment shall be entered accordingly.

20. Rules Nisi may be made to show cause before one of the Justices of the Superior Courts at Westminster.

And be it further Enacted, That it shall and may be lawful for the said Court of Pleas at Durham, if the said Court shall think fit, on any application being made to the said Court in any action depending in the said Court on any question likely to involve some difficult question of law or fact, to grant a rule to show cause before any one of the Justices of the Superior Courts of Common Law at Westminster, which Justice is hereby authorized and empowered to proceed to hear and determine the merits of all such rules, and to make such orders thereupon as the said Justice shall think proper.

21. Justices to have power to make Rules and Regulations for altering and regulating the mode and times of pleading and transcribing Records, and touching the admission of Documents.

And be it further Enacted, That it shall and may be lawful for the Justices of the said Court for the time being from time to time to make such orders, rules and regulations for altering and regulating the mode and time of pleading in that Court, and for altering the mode of entering and transcribing pleadings, judgments and other proceedings in actions at law therein, and touching the voluntary admission upon any application for that purpose, at a reasonable time before the trial of any action, of one of the Parties to the other of all such written or printed documents or copies of documents as are intended to be offered in evidence on the said trial by the Party requiring such admission, and touching the inspection thereof before such admission is made, and touching the costs which may be incurred by the proof of such documents or copies on the trial of the cause in case of the omitting to apply for such admission, or the not producing of such documents or copies for the purpose of obtaining admission thereof, or of the refusal to make such admission, as the case may be, as to the Judge before whom the cause may be tried shall seem meet.

And

22. Writs of Inquiry under the statute 8 & 9 Will. 3. c. 11. to be executed before the Sheriff, unless otherwise ordered.

And be it further Enacted, That all Writs hereafter to be issued by the Court of Pleas at Durham under and by virtue of the Statute passed in the Session of Parliament held in the eighth and ninth years of the reign of King WILLIAM the Third, intituled, "An Act for the better preventing frivolous and vexatious Suits," shall, unless the said Court shall otherwise order, direct the Sheriff of the said County of Durham to summon a Jury to appear before him, instead of the Justices or Justice of Assize of and for the said county, to inquire of the truth of the breaches suggested, and assess the damages that the Plaintiff shall have sustained thereby, and shall command the said Sheriff to make return thereof to the said Court on a day certain in such Writ to be mentioned; and such proceedings shall be had after the return of such Writ as are in the said Statute in that behalf mentioned, in like manner as if such Writ had been executed before a Justice of Assize or Nisi Prius.

23. Other Writs of Inquiry to be returnable on a day certain.

And be it further Enacted, That every other Writ of Inquiry to be issued by the said Court of Pleas at Durham, shall be made returnable on any day certain to be named in such Writ.

24. Power to direct Issues joined in certain Actions to be tried before the Sheriff or any Judge.

And be it further Enacted, That in any action depending in the said Court for any debt or demand, in which the sum sought to be recovered and indorsed on the Writ shall not exceed *Twenty* Pounds, it shall be lawful for the Prothonotary of the said Court or his Deputy, on affidavit made, that the trial of the said action is not likely to involve any difficult question either of law or fact, to draw up a rule absolute as of course, that the issue or issues joined shall be tried before the Sheriff of the said County of Durham, or his Deputy, or any Judge of any Court of Record for the Recovery of Debts in such county, and for that purpose a Writ shall issue directed to such Sheriff or Judge, commanding him to try such issue or issues by a Jury to be summoned by him, and to return such Writ with the finding of the Jury thereon indorsed, at a day certain to be named in such Writ; and thereupon such Sheriff or Judge shall summon a Jury, and shall proceed to try such issue or issues: Provided nevertheless, That it shall be lawful for the said Prothonotary or his Deputy within *Four* days next after the service of such rule absolute, as aforesaid, upon an affidavit that the trial of such issue or issues as aforesaid is likely to involve some difficult question of law or fact, to grant a rule to show cause before any one of the Justices of the superior Courts of Common Law at Westminster, why the said rule absolute should not be rescinded; and any one of the Justices of either of the Superior Courts of Common Law at Westminster is hereby authorized and empowered to confirm or rescind such rule absolute, and upon such terms as the said Justice may think fit; and in the mean time all proceedings upon or by virtue of the said last-mentioned rule shall be suspended.

25. Upon the return of Inquiry or Writ for Trial of Issues, Judgment may be signed, unless, &c.

And be it further Enacted, That at the return of every Writ of Inquiry or Writ for the trial of such issue or issues as aforesaid, costs shall be taxed, judgment signed, and execution issued forthwith, unless the Sheriff or his Deputy before whom such Writ of Inquiry may be executed, or such Sheriff Deputy or Judge before whom such trial shall be had, shall certify under his hand upon such Writ that judgment ought not to be signed until the Defendant shall have had an opportunity to apply to any one of the Superior Courts of Common Law at Westminster sitting in banco for a new inquiry or trial, or the said Court shall think fit to order that judgment or execution shall be stayed till a day to be named in such order; and the verdict of such Jury, on the trial of such issue or issues, shall be as valid and of the like force as the verdict of a Jury at Nisi Prius; and the Sheriff or his Deputy, or Judge presiding at the trial of such issue or issues, shall have the like powers with respect to the amendment on such trial as are given to Judges at Nisi Prius by an Act passed in the third and fourth years of the reign of His present Majesty, intituled, "An Act for the further Amendment of the Law and better advancement of Justice."

26. Judgment may be vacated, Execution stayed, and new Trial granted.

Provided always, and be it further Enacted, That notwithstanding any judgment signed or recorded, or execution issued by virtue of this Act, it shall be lawful for any one of the Superior Courts of Common Law at Westminster sitting in banco, to order such judgment to be vacated and execution to be stayed or set aside, and to enter an arrest of judgment, or grant a new trial or new Writ of Inquiry, as justice may appear to require; and thereupon the Party affected by such Writ of Execution shall be restored to all that he may have lost thereby, in such manner as upon the reversal of a Judgment by Writ of Error, or otherwise as the Court may think fit or direct.

27. Defendant to be allowed to pay Money into Court in certain Actions.

And be it further Enacted, That it shall be lawful for the Defendant in all Personal Actions, except actions for assault and battery, false imprisonment, libel, slander, malicious arrest or prosecution, criminal conversation or debauching of the Plaintiff's daughter or servant, by leave of the said Court, or one of the Justices of any one of the Superior Courts of Common Law at Westminster, to pay into Court a sum of money by way of compensation or amends, in any such manner and under such regulations, as to the payment of costs and the form of pleading, as the Justices of the said Court shall by any rules or orders by them to be from time to time made, order and direct.

28. Justices may regulate Fees to be taken in the Court of Pleas at Durham.

And be it further Enacted, That the Justices of the said Court of Pleas may, by any rule or order to be made from time to time after this Act shall take effect, make such regulations as to the fees to be charged by all and every or any of the Officers of the said Court of Pleas at Durham and the Attornies thereof, as to them may seem expedient, and

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and alter the same when and as it may seem fit and proper, so as such fees shall not exceed the fees now received in the Superior Court of King's Bench at Westminster; and all such regulations after being sanctioned and confirmed by the Judges of the then last Assize for the said County of Durham, shall be binding and obligatory on the said Court of Pleas at Durham, and all the Officers and Attornies of the said Court.

29. Rules for new Trials to be moved before any of the Courts at Westminster.

And be it further Enacted, That it shall be lawful for any Party in any action now depending or hereafter to be depending in the said Court of Pleas at Durham, to apply by motion to any one of the Superior Courts at Westminster sitting in banco, within such period of time after the trial as motions of the like kind shall from time to time be permitted to be made in the said Superior Court, for a rule to show cause why a new trial should not be granted or nonsuit set aside, and a new trial had or a verdict entered for the Plaintiff or Defendant, or a nonsuit entered, as the case may be, in such action; which Court is hereby authorized and empowered to grant or refuse such rule, and afterwards to proceed to hear and determine the merits thereof, and to make such orders thereupon as the same Court shall think proper; and in case such Court shall order a new trial to be had in any such action, the Party or Parties obtaining such order shall deliver the same, or an office copy thereof, to the Prothonotary of the said Court of Pleas at Durham, or his Deputy; and thereupon all proceedings upon the former verdict or nonsuit shall cease, and the action shall proceed to trial at the next or some other subsequent Session of Assizes holden for the County of Durham, in like manner as if no trial had been had therein; or in case the Court before which any such rule shall be heard shall order the same to be discharged, the Party or Parties obtaining any such order may, upon delivering the same or an office copy thereof to the said Prothonotary or his Deputy, be at liberty to proceed in any such action as if no such Rule Nisi had been obtained; or if a verdict be ordered to be entered for the Plaintiff or Defendant, or a nonsuit be ordered to be entered, as the case may be, Judgment shall be entered accordingly.

30. Judgment and Execution not to be stayed unless the Party moving enter into Recognizance with Sureties.

Provided always, and be it further Enacted, That the entering up of Judgment in any action in the said Court of Pleas at Durham, and the issuing of execution upon such Judgment shall not be stayed unless the Party intending to apply for such rule as last aforesaid shall, with *Two* sufficient Sureties, such as the last-mentioned Court shall approve of, become bound unto the Party for whom such verdict or nonsuit shall have been given or obtained by recognizance, to be acknowledged in the same Court, in such reasonable sum as the same Court shall think fit to make, and prosecute such application as aforesaid, and also to satisfy and pay, if such application shall be refused, the debt, or

damages and costs adjudged and to be adjudged, in consequence of the said verdict or nonsuit, and all costs and damages to be awarded for the delaying of execution thereon.

31. Not to take away power of Court to grant a new Trial.

Provided also, and be it further Enacted, That nothing herein contained shall prevent the said Court of Pleas at Durham from granting any new trial, or setting aside any nonsuit, or entering a nonsuit, or altering a verdict as heretofore.

32. Service of Subpœna on Witnesses in any part of the United Kingdom shall be valid to compel appearance.

And be it further Enacted, That the service of every Writ of Subpœna hereinafter to be issued out of the said Court, and served upon any Person residing out of the jurisdiction of the said Court, shall be as valid and effectual in law, and shall entitle the Party suing out the same to all and the like remedies by action or otherwise howsoever as if the same had been served within the jurisdiction; and in case such Person so served shall not appear according to the exigency of such Writ, it shall be lawful for the said Court, upon oath or affirmation to be taken in open Court, or upon an affidavit of the personal service of such Writ, to transmit a certificate of such default under the hands of *Two* of the Justices of the said Court to the Court of King's Bench in England, to the Court of Justiciary in Scotland, or to the Court of King's Bench in Ireland, and the said last-mentioned Courts respectively shall and may thereupon proceed against and punish by attachment or otherwise, according to the course and practice of the said respective Courts, the Person so having made default, in such and the like manner as they might have done if such Person had neglected or refused to appear in obedience to a Writ of Subpœna, or other process, issued to compel the attendance of Witnesses out of such last-mentioned Courts respectively.

33. Expense of attendance on Writs of Subpœna shall be tendered to Witnesses.

Provided always, and be it further Enacted, That neither of the said Courts of King's Bench or Courts of Justiciary shall in any case proceed against or punish any Person, nor shall any such Person be liable to any action for having made default by not appearing to give evidence in obedience to any Writ of Subpœna or other process for that purpose, issued under the authority of this Act, unless it shall be made appear to the Court that a reasonable and sufficient sum of money to defray the expenses of coming to give evidence and of returning from giving such evidence had been tendered to such Person at the time when such Writ of Subpœna or other process was served upon such Person.

34. Where final Judgment shall be obtained in the Court of Pleas at Durham, and the Person

And be it further Enacted, That whenever a Plaintiff or Defendant in any action or suit in which a judgment has been or shall be recovered in the said Court of Pleas at Durham, shall remove his person from or shall have no goods or chattels within the jurisdiction of the said Court, on which execution may be levied, it shall and may be lawful for any of

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of the Superior Courts at Westminster, upon a certificate from the Prothonotary of the said Court of Pleas at Durham or his Deputy, of the amount of final judgment obtained in any such action, to issue a Writ or Writs of Execution thereupon for the amount of such judgment, and the costs of such Writ or Writs and Certificate to the Sheriff of any county, city, liberty or place, against the Person or Persons or goods of the Party or Parties against whom such final judgment shall have been obtained, in such manner as upon judgments obtained in the said Court at Westminster.

or Effects cannot be found within the jurisdiction of the Court, any of the Superior Courts at Westminster may issue execution, &c.

35. If Rules of the Court cannot be enforced, they may be made Rules of one of the Superior Courts at Wesminster.

And be it further Enacted, That in case any Rule of the said Court of Pleas at Durham cannot be enforced by reason of the non-residence of any Party or Parties within the jurisdiction thereof, it shall be lawful, upon a certificate of such Rule by the Prothonotary of the said Court or his Deputy, and an affidavit that by reason of such non-residence such Rule cannot be enforced as aforesaid, to make such a Rule of any one of the said Courts at Westminster, whereupon such Rule shall be enforced as a Rule of the Court last mentioned.

36. Date of Writs and return of Executions.

And be it further Enacted, That every Writ of Venire facias juratores issued out of the same Court shall bear date on the day next preceding the first commission day of each assizes, unless such commission day shall be on a Monday, and then on the Saturday preceding, and that every Writ of Habeas corpora juratorum shall bear date on the day of the return of the Venire facias juratores, and that all other Writs issued out of the said Court of Pleas at Durham, except Writs of Distringas and Exigent and Proclamation, and of Alias and Pluries Pone per vadios, shall respectively bear date on the day on which the same shall be issued, and that all Writs of Execution may, if the Party suing out the same shall think fit, be made returnable immediately after the execution thereof.

37. Power to adopt Rules to be made for the Superior Courts at Westminster.

And be it further Enacted, That whenever by any Act of Parliament, or by or under the authority of any Act of Parliament, or by any rule or order of any of His Majesty's Superior Courts at Westminster, or of any of the Judges of the same, any rules, orders or regulations shall be made for the purpose of framing, regulating or amending the proceedings, practice or pleadings of any of the said Superior Courts at Westminster, it shall be lawful for the Justices of the said Court of Pleas at Durham, or any *Two* of them, by rule or order to be made in that behalf, to adopt, mutatis mutandis, all or any of such rules, orders or regulations, or any part or parts thereof, as to the said Court shall seem fit.

38. The Costs for preparing Pleadings, the same as in the Superior Courts.

And be it further Enacted, That the costs to be from time to time allowed for preparing pleadings in actions in the said Court of Pleas at Durham shall be the same as shall be allowed for preparing pleadings of a like description in actions in the Superior Courts at Westminster.

39. Abolition of Fine payable on Writs issued for 40*l.* and upwards.

And be it further Enacted, That from and after the *passing of this Act*, the Fine now received by way of composition by the Lord Bishop of Durham for the liberty of suing in the Courts of Common Law of the said County Palatine of Durham, where the Plaintiff's demand is *Forty* Pounds and upwards, shall not be charged to suitors in the same County Palatine Courts, nor be payable by such suitors to the present or any future Bishop of the said County Palatine for such liberty of suing in the said Courts.

40. *Compensation to the Bishop of Durham for loss of fine.*

AND whereas by the operation of the last-mentioned enactment the present Bishop of the said County Palatine, who is lawfully entitled to receive such sum or fine, will be wholly deprived thereof, and it is reasonable and fit that Compensation should be made to the said Bishop for such loss; BE it therefore Enacted, That it shall be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, by warrant under their hands, to order and direct that from and after the passing of this Act, such annual or other Compensation as in his or their discretion shall seem just and reasonable, shall be made to the present Bishop of the said County Palatine of Durham for any loss which he shall sustain by reason of the abolition of such fine; and such Compensation, whether annual or in gross, shall be issued and paid and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland: Provided always, That an account of such Compensation shall within Fourteen Days next after the same shall be so granted, be laid before the Commons House of Parliament, if Parliament shall be then assembled, or if Parliament shall not be then assembled, within Fourteen Days after the meeting of Parliament then next following.

41. Persons whose Goods are attached under Writ of Pone, instead of giving Bail may deposit with the Sheriff, &c. the sum indorsed on the Writ, with £. 10 to answer costs, &c.

AND whereas by an Act passed in the forty-third year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the more effectual Prevention of frivolous and vexatious Arrests and Suits, and to authorize the levying of Poundage upon Executions in certain cases," Persons arrested upon Mesne Process were enabled, in lieu of giving bail to the Sheriff, to deposit in the hands of the Sheriff the sum indorsed upon the Writ, together with *Ten* Pounds in addition to such sum, to answer the costs which might accrue up to the time of the return of the Writ, and also such further sum (if any) as should have been paid for the King's fine upon any original Writ, and should thereupon be discharged from such arrest: AND whereas by an Act passed in the seventh and eighth years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to prevent Arrests on Mesne Process where the Debt or cause of Action is under Twenty Pounds, and to regulate the practice of Arrests," the Provisions of the said Act of the forty-third year of the reign of King GEORGE the Third

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Third were extended, and Persons arrested were enabled to deposit or pay into the Court in which the said Writ should be returnable the sum indorsed upon the Writ, together with an additional sum as a security for costs, to abide the event of the suit, instead of putting in and perfecting special bail in the said action: And whereas the provisions of the said Acts, enabling Defendants on being arrested to make such deposits, are not deemed to extend to Attachments of the Defendant's goods under Writs of Pone per vadios issued out of the said Court of Chancery at Durham, and also out of the said Court of Pleas at Durham, and it is expedient to extend the provisions of the said Acts to such proceedings; BE it further Enacted, That all Persons whose goods and chattels shall from and after the

be attached by Writ of Pone per vadios out of the said Court of Chancery at Durham, or out of the said Court of Pleas at Durham, shall be allowed, in lieu of giving bail to the Sheriff, to deposit in the hands of the Sheriff, by delivering to him or his Under-sheriff, or other Officer appointed by him for that purpose, the sum indorsed upon the Writ by virtue of the affidavit for holding to bail in that action, together with *Ten* Pounds in addition to such sum, to answer the costs which may accrue or be incurred in such action, up to and to the time of the return of the Writ; and the goods and chattels of such Defendant shall thereupon be released or discharged from such Attachment, as to the action in which he she or they shall so deposit the sum indorsed on the Writ; and that the Sheriff shall in every such case, at or before the return of the said Writ, pay into the said Court of Pleas the sum of money so deposited with him as aforesaid; and thereupon, in case the Defendant or Defendants shall afterwards put in and perfect bail in such action within the time hereinbefore limited and allowed for that purpose, the sum of money so deposited and paid into Court as aforesaid shall, by order of the Court upon motion to be made for that purpose, be repaid to such Defendant or Defendants; but in case the Defendant or Defendants shall not duly put in and perfect bail in such action, then and in such case the said sum of money so deposited and paid into Court as aforesaid shall, by order of the said Court upon a like motion to be made for that purpose, be paid over to the Plaintiff or Plaintiffs in such action, who shall be thereupon authorized to enter a common appearance for such Defendant or Defendants if the said Plaintiff or Plaintiffs shall think fit, such payment to the Plaintiff or Plaintiffs to be made subject to such deductions (if any) from the sum of *Ten* Pounds deposited and and paid to answer the costs as aforesaid, as upon the taxation of the Plaintiff's costs, as well of the suit as of his application to the Court in that behalf, may be found reasonable.

42. *Defendants' Goods discharged from attachment*

And be it further Enacted, That in all cases in which the goods and chattels of any Defendant shall have been discharged or released

under Writ of Pone upon making deposit with the Sheriff, may, instead of perfecting special bail, allow deposit to be paid into Court; or if he remains in custody after surrender in discharge of his goods, or gives bail to the Sheriff, he may pay the debt into Court with Twenty Pounds to answer costs, and put in a common appearance.

from Attachment, upon making such deposit as is hereinbefore required, and the sum so deposited shall have been paid into Court, it shall be lawful for such Defendant, instead of putting in and perfecting special bail in the action within the time hereinbefore limited and allowed for that purpose, to allow the sum so deposited with the Sheriff, and by him paid into Court as aforesaid, together with the additional sum of *Ten* Pounds, to be paid into Court by such Defendant as a further security for the costs of the action to remain in the Court to abide the event of the suit; and in all cases in which the goods and chattels of any Defendant shall have been so attached, and such Defendant shall have given bail to the Sheriff, or shall have surrendered his body to prison in discharge of his goods and chattels, and shall remain in custody, it shall be lawful for such last-mentioned Defendant, instead of putting in and perfecting special bail, to deposit and pay into the said Court the sum indorsed upon the Writ, and the further sum of *Twenty* Pounds as a security for the costs of the action, there to remain to abide the event of the suit; and thereupon the said Defendant may and he is hereby required to enter a common appearance within such time as he would have been required to put in and perfect special bail in the action, or in default thereof the Plaintiff in the Action is hereby empowered to enter such common appearance for the said Defendant, and the cause may proceed as if the Defendant had put in and perfected special bail; and in case judgment in the said action shall be given for the Plaintiff, he shall be entitled by order of the Court, upon motion made for that purpose, to receive the said sum of money so remaining in, or so deposited or paid into the Court as aforesaid, or so much thereof as will be sufficient to satisfy the sum recovered by the judgment, and the costs of the application; and if judgment be given in the said action for the Defendant, or the Plaintiff discontinue his suit, or be otherwise barred, or in case the sum deposited and paid into Court be more than sufficient to satisfy the Plaintiff, the said money so deposited and paid into Court, or so much thereof as shall remain, shall by order of the Court, upon motion to be made for that purpose, be repaid to such Defendant.

43. Defendant may receive such Deposit and Payment after perfecting Bail.

Provided always, and be it Enacted, That it shall and may be lawful for the said Defendant who hath made his election, to make such deposit and payment as aforesaid at any time in progress of the cause before issue joined in law or fact, or final or interlocutory judgment signed or obtained, to receive the same out of Court by order of the said Court, upon putting in and perfecting special bail in the cause, and payment of such costs to the Plaintiff as the said Court shall direct.

44. Defendant after perfecting Bail may make Deposit and Payment and enter a Common Appearance.

Provided also, and be it further Enacted, That it shall and may be lawful for any Defendant who shall have put in and perfected special bail in any action commenced by Pone per vadios, upon motion

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motion to the said Court of Pleas at Durham, if the Court shall so think fit, to deposit and pay into Court the sum which would have been deposited and paid in case the Defendant had originally elected so to do, together with such further and other sum to answer the costs as the Court may direct to abide the event of the said suit, and to be disposed of in manner aforesaid; and thereupon it shall be lawful for the said Court to direct a common appearance to be entered, and an exoneration to be entered upon the bail piece in the said cause.

45. Whenever Plaintiff shall not recover the amount of the sum for which Defendant was held to bail by Writ of Pone, (without probable cause) Defendant shall be entitled to costs under a rule of Court.

And be it further Enacted, That in all actions now commenced or hereafter to be commenced in the said Court of Pleas at Durham by the hereinbefore-mentioned Writ of Pone per vadios, and wherein the Defendant or Defendants shall be held to special bail, and wherein the Plaintiff or Plaintiffs shall not recover the amount of the sum for which the Defendant or Defendants in such action shall have been so held to special bail, such Defendant or Defendants shall be entitled to costs of suit, to be taxed according to the custom of the said Court of Pleas; provided that it shall be made appear to the satisfaction of the said Court upon motion to be made in Court for that purpose, and upon hearing the Parties by affidavit, that the Plaintiff or Plaintiffs in such action had not any reasonable or probable cause for causing the Defendant or Defendants to be held to special bail in such amount as aforesaid; and provided such Court shall thereupon, by a rule or order of the same Court, direct that such costs shall be allowed to the Defendant or Defendants; and the Plaintiff or Plaintiffs shall, upon such rule or order being made as aforesaid, be disabled from taking out any execution for the sum recovered in any such action, unless the same shall exceed, and then in such sum only as the same shall exceed the amount of the taxed costs of the Defendant or Defendants in such action; and in case the sum recovered in any such action shall be less than the amount of the costs of the Defendant or Defendants, to be taxed as aforesaid, that then the Defendant or Defendants shall be entitled, after deducting the sum of money recovered by the Plaintiff or Plaintiffs in such action from the amount of his or their costs so to be taxed as aforesaid, to take out execution for such costs, in like manner as a Defendant or Defendants may now by law have execution for costs in other cases.

46. Recognizance to be entered into by a Party bringing a Writ of False Judgment.

And be it further Enacted, That in all cases the Person or Persons in whose name or names any Writ of False Judgment or Supersedeas thereon shall be brought for the reversing of any judgment in any inferior court within the said County Palatine of Durham, shall, with *Two* sufficient Sureties, such as the said Court of Pleas shall approve of, within *Six* Days after the issuing of any such Writ, be bound

unto the Party for whom such judgment is given, by recognizance to be acknowledged before a Justice of the same Court of Pleas in *treble* the sum adjudged to be recovered by the former judgment, to prosecute the said Writ of False Judgment with effect, and also to satisfy (if the said judgment shall be affirmed, or the Writ of False Judgment be not proceeded in) all and singular the debt, damages and costs adjudged, and all costs and damages to be awarded for the delaying execution; and in case such recognizance shall not be acknowledged and entered into, such Writ of False Judgment shall abate, and the Party to whom such judgment is given, on delivering to the Sheriff or other Officer in such inferior Court a certificate by the Prothonotary of the said Court of Pleas or his Deputy that such recognizance has not been acknowledged and entered into, shall be entitled to execution out of such inferior Court for the sum adjudged to be recovered by such judgment and costs of action.

47. Recognizance to be entered into by Party removing a cause from an inferior court into the Court of Pleas.

And be it further Enacted, That the proceedings in all actions, except actions of replevin, which shall be removed from any inferior Court within the said County Palatine of Durham into the said Court of Pleas by Writ of Pone loquelam, or any other Writ, shall not be stayed or delayed in any such inferior Court by reason of any such Writ of Pone loquelam or other Writ, unless the Person or Persons removing such action from any such inferior Court with *Two* sufficient Sureties, such as the Sheriff or other Officer of such inferior Court shall approve of, shall be bound unto the other Party in the said action by recognizance, to be acknowledged before such Sheriff or other Officer of such inferior Court, in *treble* the amount of the debt or damages mentioned in the Writ issued in such inferior Court, or in such other sum as such Sheriff or other Officer of such inferior Court shall direct to prosecute the said Writ of Pone loquelam or such other Writ with effect, and also to satisfy and pay (if judgment be given against the Person or Persons removing such cause, or the Writ of Pone loquelam, or other Writ be not proceeded in) all and singular the debt, damages and costs adjudged.

48. Commencement of Act.

And be it further Enacted, That this Act shall commence and take effect on the

49. Act may be altered this Session.

And be it further Enacted, That this Act may be amended, altered or repealed during the present Session of Parliament.

SCHEDULE

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SCHEDULE to which this ACT refers.

—No. 1.—

WRIT OF SUMMONS.

William the Fourth, &c.

To C. D. of, &c., in the County of Durham, Greeting:

WE command you [or, as before, or often, We have commanded you,] That within Eight Days after the service of this Writ on you, inclusive of the day of such service, you do cause an Appearance to be entered for you in our Court of Pleas at Durham, in an action on promises [or, of debt, &c., as the case may be] at the suit of A. B.; and take notice, that in default of your so doing, the said A. B. may cause an Appearance to be entered for you, and proceed therein to judgment and execution.

Witness at Durham, the day of in the year of our reign.

Memorandum to be subscribed on the Writ.

N.B. This Writ is to be served within Four calendar Months from the date hereof, including the day of such service.

Indorsements to be made on the Writ before service thereof.

This Writ was issued by E. F., of Attorney, for the said A. B.

[or,

This Writ was issued in person by A. B., who resides at mention the city, town or parish, and also the name of the hamlet, street, and number of the house of the Plaintiff's residence, if any such].

The Plaintiff claims for debt, and for costs; and if the amount thereof be paid to the Plaintiff or Attorney within Eight Days from the service hereof, inclusive of the day of such service, further proceedings will be stayed.

Indorsement to be made on the Writ after service thereof.

This Writ was served by me X., Y., on the day of One thousand eight hundred and Thirty

X. Y.

—No. 2.—

WRIT OF PONE PER VADIOS.

William the Fourth, &c.

To the Sheriff of Durham [or, to the Coroners of the County of Durham, as the case may be,] Greeting:

WE command you [or, as before, or often, We have commanded you,] That you put by gages and safe pledges C. D. of, &c. in the County of Durham,

that he be before our Justices of our Court of Pleas at Durham, on the day [now instant or next coming] to answer A. B. in a plea of trespass on the case, [or, of debt, &c., as the case may be]; and We do further command, that on execution hereof, you do require the said C. D. to take notice, that in default of his appearing, [or, if the Writ be bailable, of his causing special bail to be put in for him] in our said Court of Pleas at Durham, to the said action, within the time required by the rules and regulations of the said Court of Pleas, such proceedings may be had and taken as are mentioned in such Notice: And We do further command you the said Sheriff, that you do return this Writ to our said Court on the said day of together with the manner in which you shall have executed the same, and the day and place of the execution hereof, or that if the same shall remain unexecuted, then that you do so return the same at the return of this our Writ, or before, if thereunto required.

Witness at Durham, the day of in the year of our reign

INDORSEMENTS to be made on the Writ of Pone per vadios.

Take an Appearance,
[or,
Bail for by Affidavit.]

THIS Writ was issued by G. H. of Attorney for the Plaintiff [or, Plaintiffs] within named.

[Or, This Writ was issued by of Agent for E. F. of Attorney for the Plaintiff [or, Plaintiffs] within named.]

[Or, This Writ was issued in person by the Plaintiff within named, who resides at [mention the city, town or parish, and also the name of the hamlet, street and number of the house of the Plaintiff's residence, if any such there be.]

The Plaintiff claims for debt, and for costs, besides the Bailiff's charges for executing the Warrant, and expenses of keeping possession.

—No. 3.—

FORMS of ENTERING an APPEARANCE.

In the Court of Pleas at Durham,
A. B., Plaintiff, against C. D.
[or,
against C. D. and another,
or,
against C. D. and others.]

THE Defendant C. D. appears in person [or, E. F., Attorney for C. D., appears for him, or, G. H., Attorney for the Plaintiff, appears for the Defendant C. D.] according to the Statute.

Entered the day of One thousand eight hundred and

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—No. 4.—

WRIT OF DISTRINGAS.

WILLIAM the Fourth, &c.
To the Sheriff of Durham,
[or,
To the Coroners of the County of Durham,] Greeting:

WE command you, That you omit not by reason of any liberty in your Bailiwick, but that you enter the same, and distrain upon the goods and chattels of C. D. for the sum of Forty Shillings, in order to compel his appearance in our Court of Pleas at Durham, to answer A. B. in a plea of trespass on the case [or, of debt, &c., as the case may be]; and how you shall execute this our Writ, you make known to our Justices at Durham, on the day of [instant or now next ensuing].

Witness at Durham, the day of in the year of our reign.

NOTICE to be subscribed to the foregoing Writ.

In the Court of Pleas at Durham,
Between A. B., Plaintiff,
and
C. D., Defendant.

Mr. C. D.

TAKE Notice, That I have this day distrained upon your goods and chattels in the sum of Forty Shillings, in consequence of your not having appeared in the said Court to answer to the said A. B., according to the exigency of a Writ of Summons, bearing date on the day of and that, in default of your appearance to the present Writ, within Eight Days inclusive after the return thereof, the said A. B. will cause an Appearance to be entered for you, and proceed thereon to judgment and execution, [or, if the Defendant be subject to outlawry, will cause proceedings to be taken to outlaw you.]

—No. 5.—

WRIT OF CAPIAS.

WILLIAM the Fourth, &c.
To the Sheriff of Durham,
[or,
To the Coroners of the County of Durham,] Greeting:

WE command you [or, as before, or, as often, We have commanded you], That you omit not by reason of any liberty in your Bailiwick, but that you enter the same, and take C. D. of if he shall be found in your Bailiwick, and him safely keep until he shall have given you bail, or made deposit with you, according to law, in an action on promises [or, of debt, &c.], at the suit of A. B., or until the said C. D. shall by other lawful means be discharged from your custody; and We do further command you, that on execution hereof you do deliver a copy hereof to the said C. D.; and We do hereby require the said C. D. to take notice, that within Eight Days after execution hereof on him, inclusive of the day of such execution, he should cause special bail to be put in

for him in our Court of Pleas at Durham to the said action, and that in default of his so doing such proceedings may be had and taken as are mentioned in the Warning hereunder written, or indorsed hereon; and We do further command you the said Sheriff [or, Coroners, as the case may be], that immediately after the execution hereof, you do return the Writ to our said Court, together with the manner in which you shall have executed the same, and the day of the execution hereof, or, that if the same shall remain unexecuted, then that you do so return the same at the expiration of Four calendar Months from the date hereof, or sooner if you shall be thereto required by order of this Court.

Witness at Durham, the day of in the year of our reign.

MEMORANDUM to be subscribed to the Writ.

N. B. This Writ is to be executed within Four calendar Months from the date thereof, including the day of such date, and not afterwards.

A WARNING to the Defendant.

1. IF a Defendant being in custody shall be detained on this Writ, or if a Defendant being arrested thereon shall go to prison for want of bail, the Plaintiff may declare against any such Defendant, after such detainer or arrest, and proceed thereon to judgment and execution.

2. If a Defendant being arrested on this Writ shall have made a deposit of money, according to the Statute seventh and eighth GEORGE the Fourth, chapter seventy-one, and shall omit to enter a common appearance to the action, the Plaintiff will be at liberty to enter a common appearance for the Defendant, and proceed thereon to judgment and execution.

3. If a Defendant having given bail on the arrest shall omit to put in special bail as required, the Plaintiff may proceed against the Sheriff, or on the bail bond.

4. If a Defendant having been served only with this Writ, and not arrested thereon, shall not enter a common appearance within Eight Days after such service, the Plaintiff may enter a common appearance for such Defendant, and proceed thereon to judgment and execution.

INDORSEMENTS to be made on the Writ of Capias.

Bail for £. by affidavit.
Bail for £. by order of Court. Dated the day of

This Writ was issued by G. H., of Attorney for the Plaintiff [or, Plaintiffs] within named;

[or,

This Writ was issued by of Agent for E. F., of Attorney for the Plaintiff [or, Plaintiffs] within named;

or,

This Writ was issued in person by the Plaintiff within named, who resides at [mention the city, town or parish, and also the name of the

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the hamlet, street and number of the house of the Plaintiff's residence, if any such there be].

The Plaintiff claims for debt and for costs, [and, if an arrest, together with the Bailiff's charges for arrest,] be paid to the Plaintiff or his Attorney within Eight days from the service hereof, further proceedings will be stayed.

—No. 6.—

WRIT OF DETAINER.

WILLIAM the Fourth, &c.

To the Sheriff of Durham, Greeting:

WE command you, That you detain C. D. if he shall be found in your custody at the delivery hereof to you, and him safely keep in an action on promises [or, debt, &c., as the case may be], at the suit of A. B., until he shall be lawfully discharged from your custody: And We do further command you, that on receipt hereof, you do warn the said C. D., by serving a copy hereof on him, that within Eight Days after service of such copy, inclusive of the day of such service, he do cause special bail to be put in for him in our Court of Pleas at Durham to the said action, and that in default of his so doing, the said A. B. may declare against him, and proceed thereon to judgment and execution: And We do further command you, the said Sheriff, that immediately after the service hereof you do return this our Writ, or a copy hereof, to our said Court, together with the day of the service hereof.

Witness at Durham, the day of in the year of our reign.

N.B. This Writ is to be endorsed in the same manner as the Writ of Capias, but not to contain the Warning on that Writ.

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B I L L

For improving the Practice and Proceedings of the Court of Pleas in the County Palatine of Durham and Sadberge.

(*Prepared and brought in by Mr. Trevor and Mr. Harland.*)

Ordered, by The House of Commons, *to be Printed,*
23 *February* 1836.

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B I L L

[AS AMENDED BY THE COMMITTEE]

For improving the Practice and Proceedings in the Court of Pleas in the County Palatine of *Durham* and *Sadberge*.

[Note.—*The Preamble, the Clauses marked* (A.) *to* (D.) *and the Schedule, were added by the Committee.*]

Preamble.

WHEREAS by an Act passed in this present Session of Parliament, intituled, "An Act for separating the Palatine Jurisdiction of the County Palatine of *Durham* from the Bishoprick of *Durham*," it is, amongst other things, enacted, that from and after the commencement thereof the Bishop of *Durham* for the time being should have and exercise episcopal and ecclesiastical jurisdiction only, and that the palatine jurisdiction theretofore vested in and belonging to the Bishop of *Durham* should be separated from the Bishoprick of *Durham*, and should be transferred to and vested in His MAJESTY, His heirs, and successors (as a Franchise and Royalty) in as large and ample a manner in all respects as the same had been theretofore exercised and enjoyed by the Bishop of *Durham*, and that all forfeitures of lands or goods for treason or otherwise, and all mines of gold and silver treasure, trove, deodands, escheats, fines and amerciaments, and all Jura Regalia, of what nature or kind soever, which if the said recited Act had not been passed would or might have belonged to the Bishop of *Durham* for the time being, in right of the County Palatine of *Durham*, should be vested in and belong to His MAJESTY, His heirs and successors: Provided that nothing in the said recited Act thereinbefore contained should prejudice or affect the jurisdiction of any of the Courts of the said County Palatine, or any appointment theretofore made to any office in the said County Palatine, or any act thentofore done by the Bishop of *Durham* in right of the said County Palatine:

And whereas by reason of the said recited Act it hath become necessary that certain alterations should be made in the practice and proceedings of the Courts of Chancery and Pleas of the said County Palatine;

1.
CLAUSE (A.) Writs from Superior Courts at Westminster to be directed to the Sheriff of Durham.

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT all Writs hereafter to be issued by and out of any of His MAJESTY's Courts of Law at *Westminster* shall, from and after the passing of this Act, be directed to the Sheriff of the County Palatine of *Durham*, in the same manner as the like Writs are now directed to the Sheriffs of other Counties in *England* not being Counties Palatine; and the Sheriff of the said County Palatine shall and he is hereby required to obey, execute and return all such Writs according to the tenor and effect thereof, in the same manner as such Writs are now obeyed, executed and returned by the Sheriffs of other Counties in *England* not being Counties Palatine.

2.
CLAUSE (B.) Writs issued from the Court of Chancery of the County Palatine to be in the same form as heretofore used.

And be it further Enacted, That every original Writ for the commencement of any action or suit hereafter to be prosecuted in the Court of Pleas of the County Palatine of *Durham*, and all other Writs hereafter to be issued by and out of the Court of Chancery of the said County Palatine, shall from and after the passing of this Act be in the same form as heretofore used in the said Court, and shall be issued by the respective Officers of the said Court by whom the same Writs were issued before the passing of the said recited Act, and shall be tested in the name of the temporal Chancellor of the said County Palatine for the time being; and upon every vacancy thereof, then the said Writs shall be tested in the name of the Officer of the said Court by whom the same shall be respectively issued; and all such Writs hereafter to be issued as hereinbefore directed shall have the same force and effect as the like Writs respectively would have had if the said recited Act had not been passed: Provided always, That no Writ of Questus or Justicies hereafter to be issued by and out of the Court of Chancery at *Durham* shall have any other or greater effect than the like Writs, or either of them, would have if the same Writs, or either of them, had been issued from and out of His MAJESTY's High Court of Chancery into other Counties in *England* not being Counties Palatine.

3.
CLAUSE (C.) Writ of Venditioni to be issued, instead of Writ of Extract.

And be it further Enacted, That from and after the passing of this Act, instead of the Writ of Extract heretofore issued by the Prothonotary of the said Court of Pleas at *Durham*, there shall be issued by the Prothonotary of the said Court of Pleas or his Deputy a Writ of Venditioni exponas, according to the Form in the Schedule to this Act annexed, and which said Writ shall be dated on the day of the

the issuing thereof, and shall be tested in the same manner as all other Writs issued out of the said Court, and shall be directed to the Sheriff of the said County Palatine, who shall by himself, his Deputy Sheriff, Bailiff or other officer, forthwith after the receipt thereof proceed to execute the said last-mentioned Writ in the same manner as the said Writ of Extract would have been executed by him or them if the said recited Act and this Act had not been passed.

4. Clause (D.) Customary Fine from Suitors to cease and determine.

And be it further Enacted, That from and after the passing of this Act the Fine heretofore paid by Suitors in the Courts of Common Law of the said County Palatine to the Bishop of *Durham* by way of composition for the liberty of suing in the same Courts, shall cease and determine, and shall no longer be charged upon or be paid or payable by the Suitors in the said Courts.

5. Commencement of Act.

And be it further Enacted, That this Act shall commence and take effect on the

6. Act may be altered this Session.

And be it further Enacted, That this Act may be amended, altered or repealed during the present Session of Parliament.

SCHEDULE to which this ACT refers.

WRIT OF VENDITIONI EXPONAS.

William the Fourth, &c.
To the Sheriff of Durham,
[*or*,
To the Coroners, &c. *as the case may be*,] Greeting:

WHEREAS by our Writ we lately commanded you, that you should put by gages and safe pledges *C. D.* of, &c. in the County of Durham, to appear before our Justices of our Court of Pleas at Durham on the day of [now last past, *or*, instant] to answer *A. B.* in a plea of Trespass on the case [*or*, of Debt, &c. *as the case may be*], and you at that day returned to our said Justices, that by virtue of the said Writ you had attached the goods and chattels of the said *C. D.* to the value of which said goods and chattels have become forfeited to us by reason of the contempt of the said *C. D.* in not obeying the said Writ; and We, being desirous that the said *A. B.* should be satisfied his damages [*or*, debt, *as the case may be*] and costs by him about his suit in that behalf expended, do therefore command you, that you sell or cause to be sold the goods and chattels of the said *C. D.* by you in form aforesaid, attached for the best price that can be gotten for the same, and have the money arising from such sale before our Justices of our said Court of Pleas at *Durham* immediately after the execution hereof, to be paid to the said *A. B.* for his damages [*or*, debt, *as the case may be*] and costs of suit, and that you do also then return this Writ to our said Court.

Witness, &c.

Durham and Sadberge Court of Pleas.

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B I L L

[AS AMENDED BY THE COMMITTEE]

For improving the Practice and Proceedings of the Court of Pleas in the County Palatine of *Durham* and *Sadberge*.

(*Prepared and brought in by Mr. Trevor and Mr. Harland.*)

Ordered, by The House of Commons, *to be Printed,*
22 *June* 1836.

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B I L L

For amending the Law in Ecclesiastical Matters, and to consolidate and amend the Courts for the Probate of Wills and granting of Letters of Administration throughout England and Wales.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS it is expedient that Places heretofore exempt from the ordinary Ecclesiastical Jurisdiction of the Archdeacon, Bishop or Archbishop should be comprised in some Archdeaconry, Diocese or Province respectively, and that the Jurisdiction of the several Ecclesiastical Courts now existing for the Probate of Wills and the Grant of Letters of Administration in England and Wales should be consolidated and amended; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT in the construction of this Act, the words "Probate and Letters of Administration" shall be construed to mean the Probate of every last Will and Testament, and of every Codicil to any Will, and every Writing or Appointment in the nature of a Will, and also all Letters of Administration of the goods, chattels, rights and credits of any person or persons, whether with or without any Will annexed; and where any county in England or Wales is herein named, it shall embrace the whole of the district embraced in the same county and in all the divisions thereof; and that where any division of any county is herein named, it shall embrace the whole district embraced in such division, as the same have

Preamble.

1. Construction of this Act.

have been respectively settled by an Act of Parliament made and passed in the third year of the reign of His present Majesty King William the Fourth, intituled, "An Act to settle and describe the Divisions of Counties and the Limits of Cities and Boroughs in England and Wales, as far as respects the Election of Members to serve in Parliament;" and that the word "Diocese" shall mean the respective Dioceses in England and Wales; and that in describing any person or thing, any word herein used importing the singular number or the masculine gender, shall and may be construed to mean the plural number and the feminine gender, unless there be something in the subject or context repugnant to such construction; and that no misnomer or inaccurate description of any person or place named herein shall affect the full operation of this Act with respect to such person or place, provided that such person or place shall be so named as to be commonly understood.

2. Every Parish and Place to form part of Diocese, Archdeaconry, &c. where situate.

And be it further Enacted, That every parish and place locally situated within or adjoining to any Archdeaconry, Diocese or Province, but heretofore either wholly or in part exempt from the jurisdiction of the Archdeacon, or of the Bishop or Archbishop of the Archdeaconry, Diocese or Province respectively, within or adjoining to which the same is so situate, shall for all purposes form part of the Archdeaconry, Diocese or Province respectively, within or adjoining to which such parish or place is so locally situated; and that every parish and place locally situate within or adjoining to *Two* or more Archdeaconries in the same Diocese, but heretofore wholly or in part exempt as aforesaid, shall form part of the said Diocese, and of such one of the said *Two* or more Archdeaconries, as the Bishop of the said Diocese shall by any instrument under his hand and seal, and duly registered in the Court of Probate hereinafter appointed for the district in which such parish or place is situate, appoint; and that every parish and place locally situate in or adjoining to *Two* or more Archdeaconries in two or more Dioceses of the same Province, but heretofore wholly or in part exempt as aforesaid, shall form part of such one of the said *Two* or more Archdeaconries and Dioceses respectively, as the Archbishop of such Province shall by any instrument under his hand and seal, and so duly registered as aforesaid, appoint; and that every parish and place locally situate in or adjoining to *Two* or more Dioceses in different Provinces, but heretofore either wholly or in part exempt as aforesaid, shall form part of such one of the said *Two* or more Dioceses, and such one of the Archdeaconries within the same, and of such of the said *Two* Provinces, as His Majesty shall by Order in Council for that purpose appoint; and that every Archbishop, Bishop and Archdeacon respectively shall, when and so soon as any such parish or place as aforesaid shall by virtue of this Act form part of his Province, Diocese or Archdeaconry

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deaconry respectively, exercise the same jurisdiction and have the same power and authority in all respects therein as in any other part of his Province, Diocese or Archdeaconry respectively; and all the ecclesiastical jurisdiction in any such parish or place heretofore belonging to or claimed by any person, body politic, corporate or otherwise, within such parish and place, shall thenceforth cease and determine, and become and be (except as hereby otherwise provided) vested in and exercised by such Archbishop, Bishop and Archdeacon respectively.

3. Prerogative Court of the Archbishop of Canterbury the only Court of Probate, &c. and of original Ecclesiastical Jurisdiction for Cities of London and Westminster, and Counties of Middlesex, Essex, Hertford and Surrey. Probate and Administration, for all persons whose usual residence in those Cities and Counties, to be granted by that Court.

And be it further Enacted, That the Prerogative Court of the Lord Archbishop of Canterbury shall be the only Court in the cities of London and Westminster, and in the counties of Middlesex, Essex, Hertford and Surrey, for the granting of Probates and Letters of Administration, and shall alone have original jurisdiction, contentious and otherwise, in all ecclesiastical matters within those cities and counties respectively; and that the Probate and Letters of Administration of every person dying testate or intestate, and whose usual place of residence shall have been in the said cities of London or Westminster, or in the said counties of Middlesex, Essex, Hertford or Surrey, shall be granted, and all testamentary jurisdiction connected therewith shall be exercised by the said Prerogative Court of the Archbishop of Canterbury alone.

4. Courts at the places named and situate in the several places mentioned in the Schedule to be the only Ecclesiastical Courts for the Probates and Administrations, and of original Jurisdiction in ecclesiastical matters, except the Prerogative Court. The Districts over which the Jurisdiction of respective Local Courts shall extend.

And be it further Enacted, That the Local Ecclesiastical Courts named and situate at the several places mentioned in the Second Column to the Schedule hereto shall be the only other Courts (save and except the said Prerogative Court of the Archbishop of Canterbury) in England and Wales for the granting of Probates and Letters of Administration, and having original jurisdiction, contentious and otherwise, in all ecclesiastical matters, and that the said several Local Courts, held at the several places so mentioned in the said Schedule hereto, shall have original jurisdiction for the granting of Probates and Letters of Administration, and all jurisdiction, contentious and otherwise (except as hereby provided) in all ecclesiastical matters within and throughout the districts in the Third Column of the said Schedule hereto named and hereby assigned to such Courts respectively.

5. In what Local Courts particular Probates and Letters of Administration to be granted.

And be it further Enacted, That the Probate and Letters of Administration of every Testator and Intestate, and all testamentary jurisdiction connected therewith, shall (subject nevertheless to the option hereinafter given) be granted and exercised by the Local Court of Probate of the district specified in the Third Column to the said Schedule hereto, in which district the parish, hamlet or place

place of the usual residence of the deceased shall happen to be: Provided always, if the Testator or Intestate shall have had at the time of his death more than one place of residence, any or either of such places of residence shall for the purpose of this Act be deemed his usual place of residence; and that if the Testator or Intestate shall die in England or Wales or abroad or on the high seas, and away from his usual place of residence, such Probate or Letters of Administration may and shall be granted, and such testamentary jurisdiction as aforesaid exercised by the Local Court of Probate of the said district in which the parish, hamlet or place of his said usual residence shall be situate; and that if such Testator or Intestate shall not at the time of his death have had any usual place of residence, he shall for the purposes of this Act be deemed and taken to have died within the jurisdiction of the said Prerogative Court of Canterbury.

6.

And be it further Enacted, That the Probate or Letters of Administration of every Testator and Intestate not included in the provisions aforesaid, and all testamentary jurisdiction connected therewith, shall be granted and exercised by the said Prerogative Court of Canterbury alone.

7. Probate and Letters of Administration may nevertheless, at option of the Parties, be granted by the Prerogative Court.

Provided always, and be it further Enacted, That notwithstanding any thing hereinbefore contained, the person entitled to Probate or Letters of Administration of any Testator or Intestate may, if he shall think fit, take out such Probate or Letters of Administration to which he is so entitled from the Prerogative Court of the Archbishop of Canterbury, and that the Probate and Letters of Administration being in such case granted by such Prerogative Court, all testamentary jurisdiction connected therewith shall proceed from and be exercised by the same Court.

8. All other Courts of Probate abolished, and the Jurisdiction given to the Courts hereby retained.

And be it further Enacted, That all Courts of Probate other than the said Prerogative Court, and the said Local Courts at the several places so mentioned in the said Schedule hereto, as aforesaid, either now or heretofore exercising original ecclesiastical jurisdiction, testamentary and otherwise, within England or Wales, shall cease and determine, and that the said Prerogative Court and the said Local Courts of Probate so hereby retained as aforesaid shall also cease and determine as to any original ecclesiastical jurisdiction, testamentary or otherwise, which they may heretofore have respectively had or exercised over any other parts of England and Wales than those hereby appropriated to them respectively, and that all original ecclesiastical jurisdiction, testamentary and otherwise, heretofore exercised by every Court hereby either wholly or in part ceasing or becoming determined shall, except as hereby provided,

vided be for the future exercised by the said Prerogative Court, and the said Local Courts hereby wholly or in part retained, to which respectively the jurisdiction for such place is hereby transferred.

9.
One Probate or Administration sufficient.

And be it further Enacted, That the Probate or Letters of Administration which shall be granted by the said Prerogative Court of Canterbury, or by any of the Local Courts of Probate hereby retained, shall, unless the same be annulled or recalled, be good and valid and effectual for the administration, distribution and disposition of the effects of the Testator or Intestate, in whatsoever province, diocese or jurisdiction such effects may in whole or in part be situate, and whether the same be in trust or otherwise.

10.
Lists of Probates and Administrations granted in the Country to be sent to Prerogative Court quarterly:

And be it further Enacted, That the Registrar for the time being of each Local Court of Probate hereby retained shall once in every quarter of a year transmit to the Registrar of the said Prerogative Court of the Lord Archbishop of Canterbury a correct and perfect alphabetical List of all Probates and Administrations which shall have been granted during the preceding quarter of a year by the Court of which such person is Registrar, and that the quarter of each year shall for the purposes of this Act be considered as beginning on the *First* day of *January*, the *First* day of *April*, the *First* day of *July*, and the *First* day of *October* respectively in each and every year, and that the Lists so hereby required to be transmitted for every quarter shall be transmitted within *Ten* Days from the first day of the succeeding quarter.

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A Penalty for neglect.

And be it further Enacted, That such List shall contain the christian name and surname of every Testator and Intestate, and his usual place of residence as described in the Affidavit to be filed as herein provided before the granting the Probate or Letters of Administration, and that every such Registrar neglecting to transmit such full, correct and perfect List as aforesaid shall be liable to a penalty of *Fifty* Pounds for every such neglect of the same, to be sued for and recovered by His Majesty's Attorney General, together with costs of suits, in any of His Majesty's Courts of Record at Westminster.

12.
Before Probate or Administration granted, Affidavit to be filed of Death, Residence, &c. of deceased; and such Affidavit to

And be it further Enacted, That on application by or on behalf of any person for any Probate or any Letters of Administration, an Affidavit shall, before such Probate or Administration be granted, be filed in the Court to which such application is made of the time of the death of the Testator or Intestate (as the case may be), and of

be primâ facie evidence of those facts.

of his usual place of residence, and of the place of his death and of his burial, if the same shall have taken place, and such Affidavit so duly filed, or an office copy thereof, shall be and be deemed and taken to be in all Courts of Law or Equity as primâ facie evidence of the death and of the place of residence of such Testator or Intestate, as the case may be.

13. Wills, Papers, &c. in Depositories of Courts hereby abolished to be sent to the Courts to which the jurisdiction is hereby transferred.

And be it further Enacted, That the Registrar and other Officers of every Local Court of Probate, the jurisdiction of which shall by virtue of this Act cease and be abolished, shall on or before deliver over all records, books, papers and writings belonging and relating to every such Court, in the custody of such Registrar or other Officer, to the respective Registrars of the Local Courts of Probate hereby retained, and within whose jurisdiction the parish or place lately belonging to the jurisdictions so ceasing and determined shall be locally situate.

14.

And be it further Enacted, That if any such Registrar or other Officer shall neglect or omit to deliver over such records, books, papers and writings or any of them within such time as aforesaid, it shall be lawful for any of the Courts of Common Law at Westminster, on an application of the Registrar, to whom the same are hereby directed to be delivered over, to compel the delivery thereof by process issued for such purpose.

15. Probates and Administrations heretofore granted, but void or voidable, declared valid in certain cases.

And be it further Enacted, That all Probates and Letters of Administration heretofore granted, which may be void or voidable by reason that the Courts from which the same respectively were obtained had not jurisdiction to grant such Probates of Wills or Letters of Administration, shall be and be deemed for all purposes whatever to have been and to be as valid as if the same had been obtained from Courts entitled to grant such Probates of Wills or Letters of Administration.

16.

Provided always, and be it further Enacted, That any void or voidable Probate or Letters of Administration shall not be made valid by this Act where another Probate of the same Will or other Letters of Administration of the same personal estate shall subsequently, but before the passing hereof, have been granted out of the proper Court, nor where such Probate or Letters of Administration shall have been revoked or determined by any Court of competent jurisdiction.

17. Probates and Administrations already granted to be effectual for

And be it further Enacted, That all Probates and Letters of Administration heretofore granted from any Court of competent jurisdiction, or hereby declared valid, shall, so long as they respectively remain in force and are not annulled or recalled, be good, valid

valid and effectual for the administration, distribution and disposition of the effects of the person in respect of whom the same shall have been so granted, in whatsoever province, diocese or jurisdiction such effects are either in the whole or in part situate, and whether the same shall have been or be in trust or otherwise.

all the Property of the deceased.

18.
The Chancellors of the respective Dioceses to be Judges of the Local Courts, and no person to be hereafter appointed Chancellor of any Diocese who is not an Advocate or Barrister.

And be it further Enacted, That the Chancellor for the time being of the Diocese in which the Local Courts mentioned in the said Second Column to the said Schedule hereto are respectively situate, shall be the Judge of these Courts respectively, and that no person shall hereafter be appointed to fill the situation of Chancellor of any Diocese in which any of such Local Courts are situate, unless such person shall be an Advocate in the Court of Arches of years standing at the least, or a Barrister-at-Law of years standing at the least.

19.
The present Chancellors to appoint Deputies, with sanction of the Archbishop and Bishop.

And be it further Enacted, That it shall and may be lawful to and for any of the persons now filling the situation of Chancellor of any of the Dioceses in which any of the Local Courts of Probate at the places so named as aforesaid in the Schedule hereto are situate, to appoint from time to time, and as often as circumstances shall require, a fit and proper person, being an Advocate of the Court of Arches of years standing at the least, or a Barrister at Law of years standing at the least, to be and act as his Deputy throughout such Diocese: Provided always, That the person appointed such Deputy shall have been previously approved of by writing under the hand and seal of the Bishop of the Diocese in which he is to act as such Deputy.

20.
Any prosent Chancellor, not being an Advocate or Barrister, and not appointing Deputy, or being an Advocate or Barrister and not attending in person, the Bishop may appoint a Deputy.

And be it further Enacted, That in case any person now filling the situation of Chancellor of any of the Dioceses aforesaid, and not being an Advocate of the Court of Arches or a Barrister-at-Law, shall not within *Three* Months after the *passing hereof*, appoint by means aforesaid a fit and proper person to be his lawful Deputy; or in case any person now filling the situation of Chancellor of any of the said Dioceses and being an Advocate of the Court of Arches or a Barrister-at-Law, shall neglect to attend in person the Courts over which he ought to preside; in either of such cases it shall and may be lawful for the Bishop of the Diocese of which such person is so Chancellor, and he is hereby required to appoint some fit and proper person so qualified as aforesaid to be the Deputy of the person so omitting or neglecting to make such appointment, or to attend in person, as the case may be.

21.

And be it further Enacted, That every such appointment shall be under the hand and seal of the person making the same, and that every such appointment shall be registered in

before the person thereby appointed shall act thereunder; and that every person for the time appointed Deputy by means aforesaid, shall have all the powers and authorities at the time by this Act or otherwise vested in the person in respect of whom he shall be so appointed Deputy, and that he shall not be removed from being such Deputy without the consent in writing of the Bishop of the Diocese.

22. The Bishop to settle what part of the Chancellor's Fees to be paid to the Deputy so appointed.

And be it further Enacted, That it shall and may be lawful to and for the Bishop of any Diocese in which any Deputy to the Chancellor of such Diocese shall by virtue hereof be appointed by means aforesaid, and every such Bishop is hereby required to assign to such Deputy such proportion of the fees and perquisites belonging to such Chancellor as to such Bishop shall seem fit, and thereupon all the fees and perquisites of right belonging to such Chancellor shall be received and taken by the Registrar of the respective Courts over which such Deputy shall have to preside, and shall by the Registrar receiving the same be paid to such Chancellor and his Deputy according to the proportions so by such Bishop assigned.

23. Compensation to Commissaries and Officials.

AND whereas by the provisions herein contained, the office of Commissary, Official and Judge, in divers jurisdictions hereby determined, will virtually cease and be abolished, and the duties thereof be transferred to the Chancellors of the respective Dioceses in which the same are situate; BE it therefore Enacted, That it shall and may be lawful for the Bishop of any Diocese in which the office of Commissary, Official or Judge shall by virtue hereof cease and determine, to ascertain and apportion what (if any) portion of the fees hereafter from time to time received for the Chancellor of such Diocese or his Deputy, at the Local Court of Probate to which such transfer has been made, in consequence of such transfer, ought to be paid to the person now holding the situation of Commissary, Official or Judge so hereby determined, and that thereupon the person receiving such fees shall pay to such Commissary, Official or Judge, as the case may be, such part of such fees as shall be by the said Bishop so apportioned.

24. Provision for all Suits, &c. pending in the Courts transferred.

And be it further Enacted, That all suits and proceedings (if any) which are now depending in or before any Court by this Act merged or abolished, shall be and they are hereby transferred to the Court of that district wherein such actions and proceedings would have originated if this Act had been passed previous to the commencement thereof.

25. And be it Enacted, That all such actions and proceedings so hereby transferred may and shall be pursued and brought to a conclusion

clusion before the Court to which they are respectively so transferred as aforesaid, in the same manner in every respect as if they had been instituted or commenced before such last-mentioned Court.

26. Process, &c. of all Courts effective throughout England and Wales.

And be it further Enacted, That all monitions, citations, commissions and other processes and proceedings hereinafter issued from the said Prerogative Court of the Archbishop of Canterbury, or from any of the Local Courts of Probate at the places in manner aforesaid named in the Schedule hereto, for or by reason or in consequence of any cause of action or proceeding arising within the district over which such Court extends, may be served throughout all parts of England and Wales upon every person or party to or against whom the same may be directed, though such person or party shall not then be resident in the district of such Court; and that all such monitions, citations, commissions and other processes and proceedings may and shall be enforced in any part of England or Wales in the same manner and to the same effect to all intents and purposes as if the person or party had been resident within the district of the Court from which the same shall have been issued.

27. Appeal from the Local Courts of Probate herein named.

And be it further Enacted, That an Appeal may be had from each of the Local Courts of Probate at the places so named as aforesaid in the said Schedule hereto, in such cases and to the same Court and in the same manner as an Appeal might before the *passing of this Act* have been had in a similar case from the Consistory Court of the Bishop of the Diocese in which such Local Court of Probate is situate.

28. Proceedings in any ecclesiastical matters may be commenced in the Court of Arches instead of in the Courts of Probate.

And be it further Enacted, That it shall and may be lawful for any person to commence proceedings with respect to any matter of ecclesiastical cognizance in the Court of Arches of the said Archbishop of Canterbury, in whatsoever part of England or Wales the cause of suit may have arisen, or the parties or any of them may be resident, and the same may be so instituted and proceeded in without obtaining letters of request from any Bishop or from other authority as heretofore, and notwithstanding the cause of suit may have arisen, or the parties interested may have resided within any particular province or any particular diocese, and that the said Court of Arches may entertain such suits, and proceed thereon, and give and enforce its judgments in the same manner and to the same effect to all intents and purposes as if the same had proceeded upon letters of request under the laws now in force.

29. Existing Suits and all future Suits in any of the Local Courts of Probate

And be it further Enacted, That any proceeding already commenced in or hereby transferred to any Local Court of Probate hereby retained, and all proceedings which shall be hereafter commenced

retained may be removed to the Court of Arches by consent of all Parties thereto.

commenced in any of the said Local Courts of Probate hereby retained, may, with the consent of all parties thereto and at any stage of the proceedings, provided the Court in which such proceedings have been or shall be first instituted had jurisdiction, be removed into the said Court of Arches under such regulations and in such way as the said Court of Arches may think fit to adopt, and that thereupon such proceedings may and shall be carried on in the said Court of Arches, and judgment therein given and enforced in the same manner and to the same effect to all intents and purposes as if the same proceedings had been commenced in the said Court of Arches.

30. The Registrars of the Courts hereby retained to remain;

And be it further Enacted, That the persons for the time being filling the situations named in the Fourth Column to the said Schedule hereto be the Registrars for the time being for conducting and transacting the business of the Local Courts of Probate at the respective places opposite to which the same are respectively placed in the said Schedule hereto.

31. And no Registrar to be appointed in reversion; and hereafter to be one Registrar of such Court.

And be it further Enacted, That no reversionary appointment shall hereafter be made to the situation of Registrar in any of the Local Courts of Probate at the places so named as aforesaid in the said Schedule hereto, and that no person shall hereafter be appointed Registrar of any of the said Local Courts of Probate until all the persons now appointed Registrars thereto respectively shall by death, resignation, removal or otherwise cease to be such Registrars; and that after the death, resignation or removal of the persons now appointed to be Registrars to each of such Local Courts of Probate respectively, there shall be but one person at the same time as Registrar of every such Local Court, and that such person shall hold his office during good behaviour only.

32.

And be it further Enacted, That in case the Registrar or some one of the Registrars now appointed to the respective Local Courts of Probate at the places so as aforesaid named in the said Schedule hereto shall not attend the duties of his office in person, every person now holding the office of Deputy to such Registrars may continue to hold such office and to act under the appointment thereto now in existence without any new appointment.

33. Appointment of Deputies for the present Registrars;

And be it further Enacted, That in case the Registrar or some one of the Registrars now appointed to the respective Local Courts of Probate at the places so as aforesaid named in the said Schedule hereto shall not attend to the duties of such office in person,

person, and there shall be no Deputy at the time appointed by any such Registrar, it shall and may be lawful for the Registrar of such Court to appoint any person acting as his Deputy Registrar, or to appoint, with the assent of the Bishop of the Diocese in which such Court is situate, one or more fit and proper person or persons to be the Deputy or Deputies of such Registrar.

34. And apportionment of their Fees.

And be it further Enacted, That if any such Registrar shall not attend in person and shall not appoint a Deputy or Deputies as aforesaid, it shall and may be lawful for the Judge of such Court, with the assent of the Bishop of the Diocese in which such Court is, and such Judge is hereby required by writing under his hand and seal from time to time, and so often as circumstances shall require, to nominate and appoint a fit person or persons to be the Deputy Registrar or Deputy Registrars of such Court, and that thereupon, and so long as such person or persons remains or remain such Deputy Registrar or Deputy Registrars, he or they shall receive all the fees and perquisites of right belonging to the office of such Registrar, and shall pay to the person of whom he is so appointed the Deputy such proportion thereof as the Judge of the Court shall from time to time direct, and such Deputy Registrar or Deputy Registrars so appointed by the Judge shall only remain in office until the Registrar shall appoint one or more Deputy or Deputies.

35. Compensation to the Registrar, &c. of the Courts hereby ceasing.

AND whereas by the provisions herein contained the interests of the persons now filling the situations of Registrar or Registrars, Deputy Registrar or Deputy Registrars of the Courts the jurisdiction of which hereby ceases, and is transferred to the several Local Courts of Probate at the places so as aforesaid named in the said Schedule hereto, may be interfered with, and it is reasonable that they should receive an equivalent for losses so sustained; BE it Enacted, That it shall and may be lawful for the said Lord Chancellor of England, and he is hereby required to issue a Commission under the Great Seal of England appointing *Five* or more persons, being Judges of the said Local Courts of Probate at the places so as aforesaid named in the said Schedule hereto (including therein, if the said Lord Chancellor shall so think fit, one or some Deputy or Deputies so appointed as aforesaid), to ascertain whether the Registrars for the time being of any of the said Local Courts of Probate at the places so as aforesaid named in the said Schedule hereto, should in respect of the jurisdiction and business hereby transferred to their respective Courts make any and what compensation to the existing Registrars or Deputy Registrars of the respective Courts the jurisdiction of which is so transferred as aforesaid, as a recompense for any injury they may receive by loss of Registrars' fees.

The Lord Chancellor to appoint Commissioners to say whether Registrars retained should give any and what compensation to the Registrars whose Courts are merged.

36. As to repair and security of Places of Registry.

AND whereas it is essential that the Registries for the deposit of Wills and other Documents at the several places mentioned in the Second Column to the said Schedule hereto should be and be kept in a good, substantial and secure state for the due preservation of such Wills and Documents, and it is expedient that such Registries should be from time to time examined; BE it therefore Enacted, That the Chancellor of every Diocese in which any of the Local Courts of Probate at the places named in manner aforesaid in the said Schedule hereto are situate, or the Deputy of such Chancellor so appointed as aforesaid, may and shall and he is hereby required, once in every year, to inspect the place of registry belonging to the Courts or Court over which he shall preside, and to report the state and condition thereof to His Majesty's Secretary of State for the Home Department, specifying in such report the state of every such place of registry, and all defects therein, and how the same may be remedied.

The Chancellor of the Diocese to inspect once a year, and report to the Secretary of State.

37. Provision for new or rebuilding old Places of Registry.

And be it further Enacted, That if it shall appear to the Judge of any of the said Local Courts of Probate at the places so named as aforesaid in the said Schedule hereto, or to his Deputy so appointed as aforesaid, that the public place of registry belonging to any Court over which he shall preside is in such a state, or so situate that it is desirable that the same should be rebuilt, either in the same or some other situation, or that there is no public place of registry belonging to any such Court; in any such case it shall and may be lawful for the said Judge, or his Deputy so appointed as aforesaid, to take, with the consent of the Bishop of the Diocese, such steps as to him shall seem necessary for obtaining, by rebuilding, building, purchasing, or otherwise, some safe and proper public place of registry for the Court, the place of registry of which is so as aforesaid either defective or totally wanting, and to raise the money necessary for such purpose, and that the money so raised, together with the interest thereon, shall be a charge on the Registrar of the said Court for the time being, who shall pay, half-yearly, all interest due and payable on so much of the principal sum as shall at the time remain unsatisfied, and that the whole principal money so raised shall be paid off by the Registrar for the time being within the space of *Twenty* Years from the advance thereof by equal half-yearly instalments.

38. Places of Registry to be kept in repair by Registrar for the time being.

And be it further Enacted, That the Registrar for the time being of each Local Court of Probate at the places named in manner aforesaid in the said Schedule hereto, shall be and he is hereby bound to keep and maintain, and whenever so required by the Judge of his Court, or the Deputy so appointed as aforesaid, to put the place of registry belonging to his Court into a good and substantial state of repair.

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39. And be it Enacted, That if such Registrar shall not put the same into a good and substantial state of repair within *Six* Months after notice in writing requiring him so to do, and signed by such Judge or Deputy, it shall and may be lawful for such Judge or Deputy, as the case may be, to suspend such Registrar from his office until the repairs so required to be done shall have been fully and properly done, and to appoint from time to time some other fit and proper person to transact the business of the Registrar so suspended.

40. The Bishop may, with consent of Dean and Chapter, appropriate part of any Cathedral not wanted for other purposes as a place of Registry.

And be it further Enacted, That in case it shall appear to the Bishop of any Diocese in which any of the said Local Courts of Probate at the places named in manner aforesaid in the Schedule hereto shall be situate, that there is any room, building or place in or adjoining or belonging to the Cathedral Church of such Diocese, which is or could be adapted for a place of registry for such Local Court, and which is not necessary for the celebration of Divine Worship, nor otherwise wanted for any purposes whatsoever connected with such Cathedral Church or with the Dean and Chapter thereof, it shall and may be lawful for the Bishop of such Diocese, with the consent of the Dean and Chapter of such Cathedral Church, to appropriate such room, building or place for the purpose of a place of registry for such Local Court, and to charge the Registrars of the Local Court to which the same shall be so appropriated such annual rent for the use thereof as such Bishop shall think fair and reasonable.

41. The Registrar to pay Rent to Dean and Chapter and keep place in repair.

And be it further Enacted, That such Registrar shall pay the annual rent so fixed to the Dean and Chapter of such Cathedral Church by equal half-yearly payments, and shall, when any such appropriation shall have been so made, put into good and substantial repair, and from time to time thereafter, in such good and substantial repair, keep and maintain the same room, building or place so appropriated as a place of registry.

42. If he neglects he may be suspended;

Provided always, and be it Enacted, That in default of such Registrar so paying such annual rent, or of so repairing or so keeping in repair the place so appropriated, it shall and may be lawful for the Bishop of the same Diocese to suspend such Registrar from his office until the arrears of such rent shall be paid, and the said place be put into complete and substantial repair.

43. And if still neglects may be removed.

Provided also, and be it Enacted, That if such Registrar, after being so suspended, shall for the space of *Sixty* Days after the date of such suspension neglect to pay all arrear of rent then due, or neglect to put the place so appropriated into a good and substantial

state of repair, the Bishop of the same Diocese may remove such Registrar from his office and appoint some other person as Registrar in his stead; and in case of such suspension, the Judge of the Court shall and he is hereby required to appoint a fit and proper person to act as Registrar in the stead of him or them so suspended.

44. The Lord Chancellor to appoint Commissioners to inquire and report on proceedings and practice of Local Courts of Probate, and the Lord Chancellor empowered to make Orders for establishing the same according to such Reports.

And be it further Enacted, That it shall and may be lawful for the Lord Chancellor of England, and he is hereby required as soon as conveniently may be after the *passing of this Act*, and afterwards from time to time and so often as circumstances shall require, by a Commission under the Great Seal, to appoint any *Five* or more of the Judges for the time being, presiding in any of the said Local Courts of Probate at the places, so named as aforesaid in the said Schedule hereto (including therein, if the Lord Chancellor shall so think fit, any one or more of the Deputies so to be appointed as aforesaid), for the purpose of inquiring into and reporting upon the practice and mode of proceeding, and the fees and the conduct of the officers and practitioners in the Local Courts of Probate at the places mentioned in the Second Column to the said Schedule, and of making such recommendations with respect thereto as to them shall seem meet; and that it shall and may be lawful to and for the Lord Chancellor of England to issue from time to time such Order or Orders as to him shall seem meet for carrying into effect the whole or any part of the recommendations or of any of them contained in any Report or Reports so made by such Commissioners, and that the rules, orders and regulations in any such Order of the Lord Chancellor contained shall, until the same shall be altered or repealed by means aforesaid, be valid and binding, and shall thenceforth be observed and obeyed in all respects by and in the respective Local Courts of Probate at the places named in manner aforesaid in the said Schedule hereto, and by the several persons holding offices and discharging duties therein or practising in or before the same.

45.

And be it further Enacted, That a copy of every such Order so from time to time made by the Lord Chancellor shall be immediately laid before both Houses of Parliament, if Parliament be sitting at the issuing thereof; or if Parliament be not then sitting, within a *Fortnight* after the next meeting thereof; and that a copy of every such Order shall be forthwith, after the making thereof, be placed in some conspicuous situation in or about each of the said Local Courts of Probate at the places so as aforesaid mentioned in the said Schedule hereto.

46. Not to affect the Visitations of Arch-

Provided always, and be it further Enacted, That nothing herein contained shall be construed to prevent any Archbishop, Bishop, Archdeacon,

Archdeacon, Rural Dean or other like Officer from holding his usual or accustomed visitation, or from visiting from time to time any Diocese, Parish, Chapelry or other place within their respective Provinces, Dioceses, Archdeaconries, Rural Deaneries or other districts, or any Church, Chapel, Glebe House or other ecclesiastical possession therein, or of giving as heretofore all necessary directions on the occasions or in the matters aforesaid.

bishops, Archdeacons, Rural Deans, &c.

47. Provided always, and be it further Enacted, That nothing in this Act contained shall extend or be construed to extend to interfere with or alter any power or authority now exercised by or vested in any Archbishop, Bishop or Archdeacon of any Diocese or Archdeaconry in any manner or to any effect, save and except so far as relates to the powers and authorities heretofore vested in such persons respectively and exercised by them respectively, by means of the said Prerogative Court of the Archbishop of Canterbury, or by means of the said Local Courts of Probate hereby retained, or by means of any other Courts hereby ceasing or determining.

47. All rights of the Archbishops, Bishops and Archdeacons saved except as to the Courts.

48. AND whereas it is expedient to abolish the jurisdiction of all Ecclesiastical Courts in matters of Tithe, and to repeal the Statutes or such parts of the Statutes which give such jurisdiction to the said Courts, and to transfer the jurisdiction in all such matters to The King's Superior Courts of Record; BE it therefore Enacted, That so much of a Statute made in the thirteenth year of the reign of King EDWARD the First, intituled, "Circumspecte Agatis," as relates to the Spiritual Persons suing for Tithes, Mortuaries and Pensions in the Spiritual Court; and so much of a Statute made in the ninth year of King EDWARD the Second, intituled, "Articuli Cleri," as relates to the powers of Spiritual Courts and Judges in matters of Tithes, Obventions, Oblations and Mortuaries, and to depriving parties of The King's Writ of Prohibition in such matters; and so much of a Statute made in the eighteenth year of the reign of King EDWARD the Third, intituled, "A Statute of the Clergy," as relates to the enactment that no writ of Scire Facias shall be awarded against Spiritual Persons for Tithes; and so much of a Statute made in the first year of the reign of King RICHARD the Second, as relates to the Judges of Holy Church having a cognizance of Suits for Tithes in the Spiritual Court; and so much of another Statute made in the same year of the same reign, as relates to any person of the Holy Church being drawn in plea in the Secular Court for his own Tithes taken, as therein mentioned; and so much of a Statute made in the twenty-seventh year of the reign of King HENRY the Eighth, intituled, "For Tithes to be paid throughout this Realm," as relates to any Ecclesiastical Court, Judge or Officer having, at the time of passing this Act, jurisdiction

48. Repeal of 13 Edw. 1. s. 4. c. 1.

9 Edw. 2. s. 1. c. 1.

18 Edw. 3. s. 3. c. 7.

1 Ric. 2. c. 13.

27 Hen. 8. c. 20.

or authority in any suit or proceeding for subtraction of Tithes, Offerings and other duties, and to attachments for enforcing obedience to the process of such Court; and so much of a Statute made in the thirty-second year of the reign of King HENRY the Eighth, intituled, "For the true Payment of Tithes and Offerings," as relates to any Spiritual Court, Judge or Officer having, at the time of passing this Act, jurisdiction or authority in any suit or proceeding relating to the Tithes and Offerings; and so much of a Statute made in the Session of Parliament held in the second and third years of the reign of King EDWARD the Sixth, intituled, "An Act for Payment of Tithes," as relates to any Ecclesiastical Court, Judge or Officer having, at the time of passing this Act, jurisdiction or authority in any suit or proceeding relating to any manner of Tithes, Obventions, Profits, Emoluments, Commodities or other duties; and all Acts continuing or perpetuating any of the said enactments or parts of Acts hereinbefore referred to, so far only as relates to the continuing or perpetuating the same respectively; and all Canons and Constitutions Ecclesiastical, so far as the same or any of them give jurisdiction to any Spiritual Court in matters of Tithes, shall from and after the said be Repealed, except so far as relates to any suits or proceedings now pending in any Ecclesiastical Court in respect of any such matters; which suits and proceedings shall be carried on, continued and concluded as hereinafter provided.

32 Hen. 8. c. 7.

2 & 3 Edw. 6. c. 13. s. 2. 13.

49. Suits relating to Tithes, Offerings, &c. now pending, to be transferred to Court of Exchequer.

And be it Enacted, That all suits, whether original or by way of appeal, which shall on the said day of be depending in any Ecclesiastical Court in England or Wales, for or in respect of any Tithes, Offerings, Oblations, Mortuaries, Obventions, Payments, or any profits, emoluments or commodities in the nature of Tithe, shall be and are hereby transferred, with all proceedings therein respectively, to His Majesty's Court of Exchequer at Westminster, there to be dealt with and decided according to the practice of the said Court, which shall for the purposes of such suits respectively be deemed and taken to have and have all the power and jurisdiction to all intents and purposes possessed by the Court from which such suits shall be hereby transferred.

50. Justices of Peace may decide cases relating to Tithes, Offerings, &c. under £.10.

Provided always, and be it further Enacted, That nothing in this Act contained shall prevent *Two* or more of His Majesty's Justices of the Peace from hearing and determining all complaints touching Tithes, Oblations and Compositions subtracted or withheld, where the same shall not exceed *Ten* Pounds in amount, from any one person, in the same manner as is directed by a certain Statute passed in the fifty-third year of the reign of King GEORGE the Third, intituled, "An Act for the better regulation of Ecclesiastical Courts in

53 G. 3. c. 127.

in England, and for the more easy recovery of Church Rates and Tithes."

51. Act not to extend to Tithes, Offerings, &c. within the City of London.

Provided also, and be it further Enacted, That this Act shall not extend to any Tithes, Offerings, Oblations, Mortuaries, Payments or Obventions within the city of London or the liberties thereof, nor within any other city or town corporate where the same are settled by any Act of Parliament in that case particularly made and provided.

52. Act of 13 Edw. 1, intituled, "Circumspecte Agatis," repealed as to Church Rates.

And be it further Enacted, That so much of the said Statute made in the thirteenth year of the reign of King EDWARD the First, intituled, "Circumspecte Agatis," as relates to the repairs of Churches and Chapels, and Church-yards and Chapel-yards and fences thereof, be and the same is hereby Repealed; and that all suits and proceedings which may hereafter become necessary for the purpose of enforcing such repairs shall and may be commenced and carried on in any of His Majesty's Courts of Common Law, according to the course of proceeding and practice in those Courts, as if the said Statute had not been passed.

53. Jurisdiction of Ecclesiastical Courts in matters of Church Rates to cease; provision for existing Suits.

And be it further Enacted, That from and after the *passing of this Act* no jurisdiction shall be had, used or exercised in any Ecclesiastical Court in matters of Church Rates, and that suits and proceedings now pending in any Ecclesiastical Court in respect of any such rates shall be carried on, continued and concluded in His Majesty's Court of Exchequer at Westminster, and shall there be carried on, continued and concluded in the same manner as matters of a similar nature are there carried on, or continued and concluded: Provided always, That the laws, canons and constitutions ecclesiastical now in force with respect to the making of Church Rates and the liability of persons thereto, shall continue in force as if this Act had not been passed, and shall be put in execution by Justices of the Peace as hereinafter mentioned.

54. Appeal in matters of Church Rates.

And be it further Enacted, That in case any person or persons shall find him or themselves aggrieved by any Church or Chapel Rate, or shall have any material objection to any person or persons put on or left out of such rate, or to the sum charged on any person or persons therein, it shall and may be lawful for such person or persons so aggrieved or having any such objection, giving reasonable notice to the Churchwarden or Churchwardens, Chapelwarden or Chapelwardens, who ought to recover and collect such rate, which notice shall state the grounds of appeal, and also to every person concerning the rating of whom objection is made, to appeal to the next General or Quarter Sessions of the Peace of the

county, riding, city, liberty or town corporate where the Church or Chapel is situate in respect whereof such rate shall have been made, and the Justices of the Peace there assembled are hereby authorized and required to receive such appeal, and to hear and finally determine the same; but if it shall appear to the said Justices that reasonable notice was not given, then they shall adjourn the said appeal to the next Quarter Sessions, and then and there finally hear and determine the same; and the said Justices may award and order to the party for whom such appeal shall be determined such costs, to be levied by distress and sale of goods, as to them shall seem reasonable; and it shall be lawful for the said Justices, if they think fit, to submit a case, upon any point of law arising before them upon the trial of such appeal, for the opinion of His Majesty's Court of King's Bench.

55. Justices of the Peace may amend Church Rate.

And be it Enacted, That upon an appeal from any Church or Chapel Rate, the Justices of the Peace, where they shall see just cause to give relief, shall and are hereby required to amend the same in such manner as shall be necessary for giving such relief, without quashing or setting aside the whole rate; but if upon appeal from the whole rate it shall be found necessary to quash or set aside the same, then and in every such case the said Justices shall and are hereby required to order and direct the Churchwarden or Churchwardens, Chapelwarden or Chapelwardens, as the case may be, to make a new rate, and they are hereby required to make the same accordingly.

56. Justices of the Peace may issue Warrant of Distress to levy Church Rate.

And be it Enacted, That from and after the *passing of this Act*, if any one duly rated to the Church Rate or Chapel Rate shall refuse or neglect to pay the sum at which he is so rated, it shall and may be lawful for any one Justice of the Peace of the same county, riding, city, liberty or town corporate where the Church or Chapel is situated in respect whereof such rate shall have been made, upon the complaint of any Churchwarden or Churchwardens, Chapelwarden or Chapelwardens, who ought to receive and collect the same, to examine upon oath or affirmation into the merits of such complaint, and by warrant under his hand and seal to levy, by distress and sale of the goods of such person, his executors or administrators, such sum as is due and payable in respect of such rate, rendering only the overplus to him or her, the necessary charges of distraining being thereout first deducted and allowed by the said Justice: Provided always, That in case of any such appeal being made as aforesaid, no warrant of distress shall be granted against the person so appealing until after such appeal shall be determined.

AND

57. Repeal of 5 & 6 Edw. 6. c. 4.; and 27 G. 3. c. 44

AND whereas an Act was passed in the fifth and sixth years of the reign of King EDWARD the Sixth, intituled, "An Act against Fighting and Quarrelling in Churches and Church-yards:" AND whereas another Act was passed in the twenty-seventh year of the reign of King GEORGE the Third, intituled, "An Act to prevent frivolous and vexatious Suits in Ecclesiastical Courts," and it is expedient that the said Acts should be repealed; BE it therefore Enacted, That from and after the the said Acts passed in the fifth and sixth years of the reign of King EDWARD the Sixth and in the twenty-seventh year of the reign of King GEORGE the Third shall be Repealed.

58. Court of Probate not to have jurisdiction in matter of Incest, Adultery, &c.

And be it Enacted, That it shall not be lawful for any Ecclesiastical Court in England or Wales to take cognizance of any criminal suit for the punishment of incest, adultery or fornication, nor to take cognizance of any offence committed by quarrelling, chiding or brawling by words only in any Church or Church-yard, or by smiting or laying violent hands on any other in any Church or Church-yard, or by maliciously striking any person with or drawing any weapon in any Church or Church-yard, to the intent to strike another with the same, or of any cause or suit by reason of defamation, or to inflict any punishment for defamation, or for any breach of the peace, misdemeanor or crime whatsoever, any law, statute, canon, usage or custom to the contrary notwithstanding.

59. Sequestrators of Ecclesiastical Profits.

AND whereas it is expedient to regulate the appointment and duties of Sequestrators, and to give additional powers to such Sequestrators of Ecclesiastical Profits; BE it therefore Enacted, That from and after the , no person shall be entitled to act as a Sequestrator of any spiritual preferment, benefice or promotion unless he shall have been appointed to be such Sequestrator by writing, under the hand of the Bishop of the Diocese wherein such spiritual preferment, benefice or promotion shall be situate, and that every such appointment shall specify the amount or rate of remuneration which such Sequestrator shall be entitled to retain for his own use: Provided always, That it shall not be lawful for any Bishop to appoint as the Sequestrator of the profits of any spiritual preferment, benefice or promotion any creditor by specialty or by simple contract of the Spiritual Person holding such preferment, benefice or promotion, or the attorney or solicitor of any such creditor, and that every appointment of any such creditor, attorney or solicitor shall be absolutely void.

60. Sequestrators may enter into a Composition for payment of Tithes.

And be it Enacted, That it shall be lawful for every Sequestrator appointed as aforesaid from time to time to make or enter into any agreement or composition in writing for the payment of Tithes otherwise

otherwise than in kind, as fully and effectually as the Spiritual Person holding such preferment, benefice or promotion could do, and every such agreement or composition shall be of the same force and validity as if made by such Spiritual Person: Provided always, That no such agreement or composition by or with such Sequestrator shall be valid unless the consent of the Bishop of the Diocese shall be obtained thereto, such consent to be testified by his signing the instrument whereby such agreement or composition shall be made: Provided also, That no such composition or agreement shall be valid for any longer period than *Twelve* calendar Months from the time at which it shall have been made.

61. Sequestrators empowered to sue for recovery of Tithes.

And be it Enacted, That it shall be lawful for every Sequestrator appointed as aforesaid, to sue in his own name in any Court of Law or of Equity, for the recovery of any Tithes or of any sum of money agreed to be taken by way of composition for Tithes, or of any other the revenues or emoluments of the spiritual preferment, benefice or promotion of which he shall be Sequestrator, as fully and effectually, with the same authority and effect, as if he were the Spiritual Person holding such preferment, benefice or promotion.

62. Where amount to be recovered is under £.10. Sequestrator to have the same advantages as other parties.

And be it Enacted, that every Sequestrator appointed as aforesaid shall have and use all remedies, benefits and advantages with reference to the recovery of Tithes, Oblations and Compositions not exceeding *Ten* Pounds in amount given or contained in any law or statute now in force concerning the same, and all such laws and statutes shall extend and apply to all Tithes, Oblations and Compositions not exceeding *Ten* Pounds in amount, which such Sequestrator may be entitled to receive.

63. Where the Spiritual Person serves the Cure during the Sequestration of the Profits of his living, the Bishop may make him an allowance.

And be it Enacted, That if the Spiritual Person holding such preferment, benefice or promotion shall, during the sequestration of the profits thereof, continue to serve the Cure of the same, it shall be lawful for the Bishop of the Diocese in which the same shall be situate, to allow to such Spiritual Person for his support during the continuance of such sequestration such a proportion of the profits of the said preferment, benefice or promotion as to such Bishop shall seem fit; that such proportion shall in no case exceed the salary which the Bishop would assign to a Curate by him in pursuance of the statute hereinafter mentioned, and to be ascertained in manner hereinafter mentioned; and in case such Spiritual Person shall not continue during such sequestration as aforesaid to serve such Cure, it shall be lawful for the said Bishop, and for no other person, to appoint and license a Curate, who shall serve the Cure of such preferment, benefice or promotion during the continuance of such sequestration, and such license shall specify the amount of salary to be paid

paid to such Curate, and such salary shall be such a sum as such Bishop would assign to such Curate if he were appointed by such Bishop in consequence of the non-residence of the Spiritual Person holding such preferment, benefice or promotion with cure of souls, under the authority of an Act of Parliament passed in the fifty-seventh year of the reign of King GEORGE the Third, intituled, "An Act to consolidate and amend the Laws relating to Spiritual Persons holding of Farms, and for enforcing the Residence of Spiritual Persons on their Benefices, and for the Support and Maintenance of Stipendiary Curates in England;" and for the purpose of further ascertaining the amount of salary to be allowed to any such Curate or Spiritual Person holding such preferment, benefice or promotion, the profits whereof shall be so sequestered as aforesaid, shall for the purposes of this Act be considered as having been instituted or appointed thereto since the *Twentieth* day of *July One thousand eight hundred and Thirteen:* Provided always, That the allowance to be made as aforesaid to the Spiritual Persons so continuing to serve the Cure of such preferment, benefice or promotion, and the salary to be paid to the Curate who shall be appointed and licensed as aforesaid to serve such Cure, shall not in any case exceed
of the clear annual value of the profits of such preferment, benefice or promotion.

64. Bishop may remove Sequestrator or Curate.

And be it Enacted, That it shall be lawful for any Bishop at his own discretion, summarily and without appeal, from time to time to remove any Sequestrator or Curate by him or any of his predecessors appointed as aforesaid: Provided always, That in case the sequestration shall continue, another Sequestrator or Curate shall be appointed in manner aforesaid, in the place of the Sequestrator or Curate so removed.

65. Application of Profits of living under Sequestration.

And be it Enacted, That out of the profits of any such spiritual preferment, benefice or promotion which shall be received by any Sequestrator appointed as aforesaid, such Sequestrator shall in the first place pay all arrears due to the Curate serving the benefice at the time of such sequestration, not exceeding *One* Year's salary; and next all arrears of the allowance to be made as aforesaid to the Spiritual Person continuing to serve the Cure of such preferment, benefice or promotion, or of the salary which shall be due as aforesaid to the Curate appointed after such sequestration to serve such Cure; and shall in the next place retain or pay and discharge all the reasonable costs, charges and expenses which shall have been incurred by such Sequestrator, or by his direction or consent, in getting in such profits; and shall in the next place retain to himself the remuneration to which he shall be entitled as aforesaid; and shall in the next place pay and discharge all sums of money due for

the repairs of the chancel, parsonage, vicarage or other house of residence, and of the glebe lands and lands allotted in lieu of Tithes, and premises and the appurtenances thereto belonging, in respect of which the Spiritual Person holding such preferment, benefice or promotion, his successors, representatives or assigns, would have been liable to the successors for dilapidations; and the said Sequestrator shall in the next place administer the remainder of such profits in discharge of the said sequestration, or otherwise, as by law is required.

66. Sequestrator to render Account.

And be it Enacted, That every Sequestrator who shall be appointed as aforesaid, shall within *One* calendar Month next after the expiration of *Six* calendar Months next after the time of his appointment, and in like manner within *One* calendar Month next after the expiration of every succeeding *Six* calendar Months, or in case the sequestration shall be removed during the continuance of any such term as *Six* calendar Months as aforesaid, then within *One* calendar Month next after such removal, render into the registry of the Local Court of Probate within the jurisdiction of which such spiritual preferment, benefice or promotion is situate, a full, true and particular account in writing, signed by him, of all his receipts and disbursements in the execution of such sequestration, and such account shall be filed in such registry by the Registrar of such Court, and shall be open to inspection by all persons at all reasonable times on payment of a fee of

67. Bishop may question accuracy of Account delivered, and examine into the same.

And be it Enacted, That it shall be lawful for the Bishop of the Diocese wherein shall be situated any spiritual preferment, benefice or promotion, the profits whereof shall have been sequestered, or for the Spiritual Person holding the same, or who shall have held the same at the time of such sequestration, his executors or administrators, or for any creditor of such Spiritual Person at whose suit such profits shall have been sequestered, or at whose suit any writ of Fieri facias de bonis ecclesiasticis, or of Levari facias de bonis ecclesiasticis, or Sequestrari facias may have been directed to such Bishop, although no sequestration may have issued thereon, to impeach and question the accuracy of any account so to be rendered by such Sequestrator as aforesaid, or of any part thereof, or the fact of the disbursement or the legality of the disbursement of any sum or sums of money therein mentioned in a suit to be instituted in the said Prerogative Court or in one of the said Local Courts of Probate so retained as aforesaid, according to the circumstances of the case.

68. The Prerogative Court and the Local Court of Probate to take

And be it Enacted, That it shall be lawful for either the said Prerogative Court, or any of the said Local Courts of Probate so retained as aforesaid, so take cognizance within its own jurisdiction of

of any suit so to be instituted as aforesaid, for the purpose of impeaching and questioning the accuracy of any account to be rendered by any Sequestrator as aforesaid, or of any item therein, and in every such Court shall proceed in such suit according to the course and practice of such Court, and shall, if it shall think fit, direct witnesses to be examined, either upon interrogatories or orally, in such suit, and shall also by sentence allow or disallow the said account, or any item in the same, as to such Court shall seem just, and in case any sum of money shall, by sentence, be found to be due on such account from such Sequestrator, the said Court shall in the same sentence order and direct the payment of the said sum of money, in such manner and at such times and in such proportions as to the said Court shall seem fit, and such sentence shall be enforced in the same manner as other sentences of the said Court, and the costs of any such suit shall be paid in such manner and by and to such persons and at such times as to the said Court shall seem fit.

Cognizance of Suits impeaching accuracy of Sequestrator's Account.

69.

And be it Enacted, That every writ of Sequestration issued by the Bishop of any Diocese shall, when executed, be duly returned into the Registry of the said Court in whose jurisdiction the spiritual preferment, benefice or promotion shall be situate, and shall be there filed by the Registrar of such Court, and shall be open to inspection by all persons at all reasonable times.

70.

And be it Enacted, That after one writ of Sequestration of the profits of any spiritual preferment, benefice or promotion shall have been issued at the suit of any creditor of any Spiritual Person, no other writ of Sequestration of the profits of the same preferment, benefice or promotion shall, either on the same or on any subsequent day, be issued at the suit of any other creditor of such Spiritual Person until the writ so first issued shall have been duly returned into the Registry of the Court out of which the same shall have issued, but that a Record shall be kept in the Registry of every Court of the respective times at which writs of Fieri facias de bonis ecclesiasticis, and Levari facias de bonis ecclesiasticis, and of Sequestrari facias shall come to such Registry respectively, and the priority of the creditors at whose suits respectively such writs of Fieri facias, Levari facias, and Sequestrari facias shall have been issued, shall be determined by the priority of the receipt thereof respectively in such Registry: Provided always, That any writ of Sequestration grounded upon the said Act passed in the fifty-seventh year of the reign of King GEORGE the Third may be issued notwithstanding the existence, unreturned, of any writ of Sequestration at the suit of any creditor of any Spiritual Person; and upon the issuing of any writ of Sequestration grounded upon the said

Where a Writ of Sequestration has been issued, no further Writ to issue until the first is returned.

Statute, any existing writ of Sequestration, and all writs of Fieri facias de bonis ecclesiasticis, and Levari facias de bonis ecclesiasticis, and of Sequestrari facias which shall have come to the Registry of such Bishop, shall be postponed and be subject to the writ of Sequestration grounded on the said Act.

71. Commencement of Act.

And be it further Enacted, That this Act shall commence and take effect from the

72. Act may be altered or repealed.

And be it Enacted, That this Act may be amended, altered or repealed by any Act or Acts to be passed in this present Session of Parliament.

SCHEDULE

3 3

SCHEDULE

TO WHICH THE FOREGOING ACT REFERS.

DIOCESES.	LOCAL COURTS of PROBATES and PLACES of COURTS and of REGISTRIES.	DISTRICTS over which each LOCAL COURT is to extend.	REGISTRARS of the respective LOCAL COURTS.
PROVINCE of CANTERBURY.			
Canterbury -	Consistory Court, Canterbury -	- - District of Lambeth Palace and Eastern Division of the County of Kent.	Registrars of the Diocese.
Saint Asaph -	Consistory Court, Saint Asaph	Counties of Denbigh, Flint and Montgomery.	Registrars of the Diocese.
Bangor - -	Consistory Court, Bangor -	Counties of Anglesea, Carnarvon and Merioneth.	Registrars of the Diocese.
Bath and Wells	Consistory Court, Wells - -	Eastern Division of the County of Somerset.	Registrars of the Diocese.
	Consistory Court, Taunton -	Western Division of the County of Somerset.	Registrars of the Episcopal Consistorial Court of Taunton.
Bristol - -	Consistory Court, Bristol -	- - City of Bristol and Eighteen Parishes of Almondsbury, Alveston, Clifton, Compton, Greenfield, Elberton, Filton, Saint George, Henbury, Horfield, Saint James, Littleton-upon-Severn, Mangotsfield, Olveston, Saint Paul, Saint Philip and Jacob, Stapleton, Stoke Gifford, Westbury-upon-Trym, and Winterbourne, in the County of Gloucester.	Registrars of the Diocese.
	Consistory Court, Blandford -	County of Dorset - - -	Registrars of the Episcopal Consistorial Court of Dorset.
Chichester -	Consistory Court, Chichester -	Western Division of the County of Sussex.	Registrars of the Diocese.
	Consistory Court, Lewes -	Eastern Division of the County of Sussex.	Registrars of the Episcopal Consistorial Court of Lewes.
Saint David's -	Consistory Court, Caermarthen	County of Caermarthen - -	Registrars of the Diocese.
	Consistory Court, Haverfordwest	Counties of Pembroke and Cardigan - - - -	
	Consistory Court, Brecon -	Counties of Brecon and Radnor	
Ely - -	Consistory Court, Cambridge -	County of Cambridge - -	Registrars of the Diocese.
Exeter - -	- - Consistory Court, with the Court of the Principal Registry, Exeter.	County of Devon - - -	Several Registrars of the Diocese.
	Court of the Archdeacon of Cornwall, Bodmin.	County of Cornwall - -	Registrars of the Archdeaconry of Cornwall.
Gloucester -	Consistory Court, Gloucester -	- - County of Gloucester, except the Parishes in the Diocese of Bristol.	Registrars of the Diocese.
Hereford -	Consistory Court, Hereford -	- - County of Hereford and Southern Division of the County of Salop.	Registrars of the Diocese.
Llandaff - -	Consistory Court, Llandaff -	Counties of Glamorgan and Monmouth.	Registrars of the Diocese.
Lichfield and Coventry.	Consistory Court, Lichfield -	- - Counties of Stafford and Derby and Northern Divisions of the Counties of Salop and Warwick.	Registrars of the Diocese.

DIOCESES.	LOCAL COURTS of PROBATES and PLACES of COURTS and of REGISTRIES.	DISTRICTS over which each LOCAL COURT is to extend.	REGISTRARS of the respective LOCAL COURTS.
Lincoln - -	Consistory Court, Lincoln -	County of Lincoln - - -	Registrars of the Diocese.
	- - Court of the Commissary of the Bishop in the Archdeaconry of Leicester, Leicester.	County of Leicester - -	- - Registrars of the Commissary of the Bishop in the Archdeaconry of Leicester.
	- - Court of the Commissary of the Bishop in the Archdeaconry of Buckingham, Aylesbury.	County of Buckingham - -	- - Registrars of the Commissary of the Bishop in the Archdeaconry of Buckingham.
	- - Court of the Commissary of the Bishop in the Archdeaconry of Bedford, Bedford.	County of Bedford - -	- - Registrars of the Commissary of the Bishop in the Archdeaconry of Bedford.
	- - Court of the Commissary of the Bishop in the Archdeaconry of Huntingdon, Huntingdon.	County of Huntingdon - -	- - Registrars of the Commissary of the Bishop in the Archdeaconry of Huntingdon.
Norwich - -	Consistory Court, Norwich -	County of Norfolk - - -	Registrars of the Diocese.
	- - Court of the Commissary of the Bishop in the Archdeaconry of Sudbury, Bury Saint Edmunds.	Western Division of the County of Suffolk.	- - Registrars of the Commissary of the Bishop in the Archdeaconry of Sudbury.
	- - Court of the Commissary of the Bishop in the Archdeaconry of Suffolk, Ipswich.	Eastern Division of the County of Suffolk.	- - Registrars of the Commissary of the Bishop in the Archdeaconry of Suffolk.
Oxford - -	Consistory Court, Oxford -	County of Oxford - - -	Registrars of the Diocese.
Peterborough -	Consistory Court, Northampton	Counties of Northampton and Rutland.	Registrars of the Diocese.
Rochester -	Consistory Court, Rochester -	Western Division of the County of Kent.	Registrars of the Diocese.
Salisbury -	Consistory Court, Salisbury -	County of Wilts - - -	Registrars of the Diocese.
	Consistory Court of Salisbury, Oxford.	County of Berks - - -	Registrars of the Archidiaconal Court of Berks.
Winchester -	Consistory Court, Winchester -	County of Hants - - -	Registrars of the Diocese.
Worcester -	Consistory Court, Worcester -	- - County of Worcester and Southern Division of the County of Warwick.	Registrars of the Diocese.
	PROVINCE of YORK.		
York - -	Prerogative Court, York - -	County of York - - -	Several Registrars of the Diocese.
	Court of Archdeacon of Nottingham, Nottingham.	County of Nottingham - -	Registrars of the Archdeaconry of Nottingham.
Carlisle - -	Consistory Court, Carlisle -	Counties of Cumberland and Westmoreland.	Registrars of the Diocese.
Chester - -	Consistory Court, Chester -	County of Chester - - -	Registrars of the Diocese.
	Consistory Court, Lancaster or Manchester.	County of Lancaster - -	Registrars of the Archdeaconry of
Durham - -	Consistory Court, Durham -	Counties of Durham and Northumberland.	Registrars of the Diocese.

A

B I L L

For amending the Law in Ecclesiastical Matters, and to consolidate and amend the Courts for the Probate of Wills and granting of Letters of Administration throughout England and Wales.

(*Prepared and brought in by Mr. Serjeant Goulburn, Mr. Cayley, and Mr. Jervis.*)

Ordered, by The House of Commons, *to be Printed,*
2 *June* 1836.

A

B I L L,

INTITULED,

AN ACT for imposing certain Restrictions on the Renewal of Leases by Ecclesiastical Persons.

[Note.—*The Figures in the Margin denote the Number of Presses in the Ingrossment.*]

1 WHEREAS it is expedient that such provision as is hereinafter contained should be made respecting the granting of Ecclesiastical Leases; BE it Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT after the passing of this Act no Archbishop or Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon or Prebendary, or other Spiritual Person, nor any Master or Guardian of any Hospital, shall grant any new Lease of any house, land, tithes or other hereditaments, parcel of the possessions of his or their See, Chapter, Dignity, Canonry, Prebend, Benefice or Hospital, by way of renewal of any lease which shall have been previously granted of the same for two or more lives, until one or more of the persons for whose lives such lease shall have been so made shall die, and then only for the surviving lives or life, and for such new life or lives as, together with the life or lives of such survivor or survivors, shall make up the number of lives, not exceeding Three in the whole, for which such lease shall have been so made as aforesaid; and that where any such lease shall have been granted for Forty Years, no such 2 Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, shall grant any new lease, by way of renewal of the same, until Fourteen Years of such lease shall have expired; and that where any

Preamble.

1. Restrictions on Ecclesiastical Persons granting Leases.

such lease shall have been made as aforesaid for Thirty Years, no such Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, shall grant any new lease, by way of renewal of the same, until Ten Years of such lease shall have expired; and where any such lease shall have been granted for Twenty-one Years, no such Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, shall grant any new lease, by way of renewal of the same, or (in the case of Archbishops or Bishops) concurrently therewith, until Seven Years of such lease shall have expired; and that where any such lease shall have been granted for years, no such Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, shall grant any lease, by way of renewal of the same or otherwise, for any life or lives; any law, statute or custom to the contrary notwithstanding.

2. Ecclesiastical Persons may grant certain Leases conformable to usual practice.

Provided nevertheless, and be it Enacted, That in cases where it shall be certified in manner hereinafter mentioned, that for Ten Years now last past it hath been the usual practice (such practice having, in the case of a Corporation sole, commenced prior to the time of the person for the time being representing such Corporation) to renew such Leases 3
for Forty, Thirty or Twenty-one Years respectively, at shorter periods than Fourteen, Ten or Seven Years respectively, nothing herein contained shall prevent any Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, from granting a renewed lease conformably to such usual practice; provided that such usual practice shall be made to appear to the satisfaction of the Archbishop of the Province, in the case of a lease granted by such Archbishop or by a Bishop, and to the satisfaction of such Archbishop, and also of the Bishop of the Diocese, in the case of a lease granted by any inferior Corporation or person; and shall, before the granting of such lease, be certified in writing, under the hand of the Archbishop in the one case, and of the Archbishop and Bishop in the other case; the Certificate so signed to be afterwards deposited in the Registry of such Archbishop or Bishop.

3. Not to prevent Ecclesiastical Persons effecting Exchanges under certain conditions.

Provided also, and be it Enacted, That nothing herein contained shall prevent any Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian from exchanging any life or lives in being, for which any lease shall have been granted as aforesaid, and accordingly granting any renewed lease with a view to effectuate such exchange of a life or lives; provided that the same shall be approved of (in the 4
case of an Archbishop) by His Majesty in Council, or (in the case of a Bishop) by the Archbishop of the Province, or (in the case of any inferior Corporation

Corporation or person) by the Archbishop of the Province and Bishop of the Diocese; such approbation when required to be given by His Majesty in Council to be testified by the President of the Council certifying on the renewed lease to be granted as aforesaid such approbation, and in all other cases to be testified by the person or persons whose approval is hereby required certifying on such renewed lease his or their approbation of the same.

4. Not to prevent Grants under Acts of Parliament;

Provided also, and be it Enacted, That nothing in this Act contained shall prevent any Grants or Renewals of Leases which may have been authorized by particular Acts of Parliament.

5. Nor for same Term as preceding Leases.

Provided also, and be it Enacted, That nothing in this Act contained shall prevent a Lease from being granted, with a view to confirm any title or otherwise, for the life or lives of the same person or persons or for the lives or life of the survivors or survivor of them, or for the same term of years, and commencing at the same period, as the Lease last granted for a life or lives or a term of years respectively.

6. Act not to render valid illegal Leases.

Provided also, and be it Enacted, That no Lease not authorized by the Laws and Statutes now in force shall be rendered valid by any thing in this Act contained.

7. Leases contrary to this Act void.

And be it Enacted, That if any Lease contrary to this Act shall have been granted since the First day of March in the year One thousand eight hundred and Thirty-six, or shall be granted after the passing of this Act, every such Lease, and every Bond and Covenant for renewing or making any Lease contrary to this Act, shall be void to all intents and purposes whatsoever.

Ecclesiastical Leases.

A

B I L L,

INTITULED,

AN ACT for imposing certain Restrictions on the Renewal of Leases by Ecclesiastical Persons.

Ordered, by The House of Commons, *to be Printed,*
29 *March* 1836.

A

B I L L,

[AS AMENDED BY THE COMMITTEE]

INTITULED,

AN ACT for imposing certain Restrictions on the Renewal of Leases by Ecclesiastical Persons.

[Note.—*The Figures in the Margin denote the Number of Presses in the Ingrossment.*]

[N. B.—*The Clauses marked* (A.) *to* (D.) *were added by the Committee.*]

Preamble.

1 WHEREAS it is expedient that such provision as is hereinafter contained should be made respecting the granting of Ecclesiastical Leases; BE it Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT after the passing of this Act no Archbishop or Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon or Prebendary, or other Spiritual Person, nor any Master or Guardian of any Hospital, shall grant any new Lease of any house, land, tithes or other hereditaments, parcel of the possessions of his or their See, Chapter, Dignity, Canonry, Prebend, Benefice or Hospital, by way of renewal of any Lease which shall have been previously granted of the same for two or more lives, until one or more of the persons for whose lives such Lease shall have been so made shall die, and then only for the surviving lives or life, and for such new life or lives as, together with the life or lives of such survivor or survivors, shall make up the number of lives, not exceeding Three in the whole, for which such Lease shall have been so made as aforesaid; and that where any such Lease shall have been granted for Forty Years, no such 2 Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, shall grant any new Lease, by way of renewal of the same, until Fourteen Years of such Lease shall have expired; and that where any such Lease shall have been made as aforesaid for Thirty Years, no such Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary,

1. Restrictions on Ecclesiastical Persons granting Leases.

Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, shall grant any new lease, by way of renewal of the same, until Ten Years of such lease shall have expired; and where any such Lease shall have been granted for Twenty-one Years, no such Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, shall grant any new Lease, by way of renewal of the same, or (in the case of Archbishops or Bishops) concurrently therewith, until Seven Years of such Lease shall have expired; and that where any such Lease shall have been granted for years, no such Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, shall grant any Lease, by way of renewal of the same or otherwise, for any life or lives; any law, statute or custom to the contrary notwithstanding.

2. CLAUSE (A.) Recitals of Lease to be taken as Evidence of fact.

And be it further Enacted, That whenever any Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, shall hereafter grant any renewed Lease of any house, land, tithes or other hereditaments, parcel of the possessions of his or their See, Chapter, Dignitary, Canonry, Prebend, Benefice or Hospital, and such Lease shall contain a recital or statement in the case of a Lease for lives, setting forth the names of the several persons named as *cestui que vie* in the then last preceding Lease of the same premises, and stating which of such persons, if any, is or are then dead, and, in case of a Lease for years, setting forth for what term of years the last preceding Lease of the same premises was granted, and how much of such term has then expired, and how much remains to come, and unexpired, every such recital or statement shall go as far as relates to the validity of the Lease so to be granted as aforesaid be deemed and taken to be conclusive evidence of the truth of the matters so recited or stated.

3. CLAUSE (B.) Penalty on persons introducing recitals into Lease, knowing the same to be false.

And be it further Enacted, That if any person shall execute any such Lease, or any counterpart thereof, knowing such recital or statement, or any part thereof, to be false, or shall wilfully introduce, or cause to be introduced, or aid or assist in introducing, any such recital or statement into any such Lease, knowing the same or any part thereof to be false, or shall prepare or ingross, or cause to be prepared or ingrossed, any Lease or counterpart of a Lease containing any such false recital or statement as aforesaid, knowing the same or any part thereof to be false, every person so offending shall be deemed and taken to be guilty of a Misdemeanor; and every person so offending shall, in addition to any punishment to which he may be liable, forfeit and pay to any person suing for the same the full sum of Five hundred Pounds, or, at the option of such person, Five years improved annual value of the hereditaments comprised in such Lease.

4. Ecclesiastical Persons may grant certain Leases conformable to usual practice.

Provided nevertheless, and be it Enacted, That in cases where it shall be certified in manner hereinafter mentioned, that for Ten Years now last past it hath been the usual practice (such practice having, in the

case

case of a Corporation sole, commenced prior to the time of the person
3 for the time being representing such Corporation) to renew such Leases for Forty, Thirty or Twenty-one Years respectively, at shorter periods than Fourteen, Ten or Seven Years respectively, nothing herein contained shall prevent any Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian, from granting a renewed Lease conformably to such usual practice; provided that such usual practice shall be made to appear to the satisfaction of the Archbishop of the Province, in the case of a Lease granted by such Archbishop or by a Bishop, and in the case of a Lease granted by any inferior Corporation or person to the satisfaction of such Archbishop, and also of the Bishop having jurisdiction over such Corporation or person; and shall, before the granting of such Lease, be certified in writing, under the hand of the Archbishop in the one case, and of the Archbishop and Bishop in the other case; the Certificate so signed to be afterwards deposited in the Registry of such Archbishop or Bishop, as the case may be, which Certificate shall be conclusive evidence of the facts thereby certified.

5. Not to prevent Ecclesiastical Persons effecting Exchanges under certain conditions.

Provided also, and be it Enacted, That nothing herein contained shall prevent any Archbishop, Bishop, Ecclesiastical Corporation sole or aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master or Guardian from exchanging any life or lives in being, for which any Lease shall have been granted as aforesaid, and accordingly granting any renewed Lease with a view to effectuate such exchange of
4 a life or lives; provided that the same shall be approved of (in the case of an Archbishop) by His Majesty in Council, or (in the case of a Bishop) by the Archbishop of the Province, or (in the case of any inferior Corporation or person) by the Archbishop of the Province and Bishop of the Diocese; such approbation when required to be given by His Majesty in Council to be testified by the President of the Council certifying on the renewed Lease to be granted as aforesaid such approbation, and in all other cases to be testified by the person or persons whose approval is hereby required certifying on such renewed Lease his or their approbation of the same.

6. Not to prevent Grants under Acts of Parliament;

Provided also, and be it Enacted, That nothing in this Act contained shall prevent any Grants or Renewals of Leases which may have been authorized by particular Acts of Parliament.

7. Nor for same Term as preceding Lease.

Provided also, and be it Enacted, That nothing in this Act contained shall prevent a Lease from being granted, with a view to confirm any title or otherwise, for the life or lives of the same person or persons or for the lives or life of the survivors or survivor of them, or for the same term of years, and commencing at the same period, as the Lease last granted for a life or lives or a term of years respectively.

8. Act not to render valid illegal Leases.

Provided also, and be it Enacted, That no Lease not authorized by the Laws and Statutes now in force shall be rendered valid by any thing in this Act contained.

And

9. Leases contrary to this Act void.

And be it Enacted, That if any Lease contrary to this Act shall have been granted since the First day of March in the year One thousand eight hundred and Thirty-six, or shall be granted after the passing of this Act, every such Lease, shall be void to all intents and purposes whatsoever: Provided always, That nothing in this Act contained shall be deemed or taken to affect any Lease granted or to be granted pursuant to any covenant or agreement entered into previously to the First day of March One thousand eight hundred and Thirty-six.

10. Clause (C.) Act not to extend to Ireland.

And be it further Enacted, That nothing in this Act contained shall be deemed or taken to extend to *Ireland*.

11. Clause (D.) Act may be altered.

And be it further Enacted, That this Act may be altered or amended by any Act during this present Session of Parliament.

Ecclesiastical Leases.

A

B I L L,

[AS AMENDED BY THE COMMITTEE]

INTITULED,

AN ACT for imposing certain Restrictions on the Renewal of Leases by Ecclesiastical Persons.

Ordered, by The House of Commons, *to be Printed,*
18 *May* 1836.

274.

A

B I L L

For the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in England and Wales.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS an Act was passed in the second year of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People in England and Wales:" Preamble: 2 Will. 4. c. 45.

And whereas the said Act contains divers provisions for the formation of Registers of Voters for Counties, Ridings, Parts and Divisions of Counties, and also for the formation of Registers of Voters for Cities and Boroughs:

And whereas it is expedient and necessary that some of the said provisions should be amended, and that further provisions should be made for the more effectual Registration of Persons entitled to vote in the Election of Members to serve in Parliament for England and Wales; and it is expedient for the better understanding of the Law touching such Registration that all provisions for the formation of such Registers should be consolidated into this Act;

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT all provisions in the said recited Act contained, touching and concerning the formation of the Register of Voters for any County, Riding, Parts or Division of a County, or for any City or Borough in England and Wales, and touching and concerning the defraying of the Expenses to be incurred in carrying such provisions

1. Certain Provisions of 2 Will. 4. c. 45, repealed.

provisions into effect, shall be and the same are hereby Repealed, except as to any such Register heretofore made, and except as to any matter or thing touching and concerning the same.

2.
This Act to be deemed part of the recited Act.

And be it Enacted, That this Act, when passed, shall be deemed and taken to be part of the said recited Act, as fully and effectually as if the same were incorporated therewith.

3.
Counties.
Clerk of the Peace to have Forms of Warrants, &c. printed.
Clerk of the Peace to issue his Warrant to High Constables, with Forms of Precepts, &c.

And be it Enacted, That the Clerk of the Peace for every county, riding, parts or division of a county, shall cause a number of Forms of Warrants, Precepts, Notices and Lists to be printed, according to the respective Forms numbered (1. 2. 3. 4. 5.) in the Schedule (I.) to this Act annexed, at the expense of the respective county, riding, parts or division; and shall also, within the *First* Week of *June* in every year make and cause to be delivered his Warrant, according to the Form numbered (1.) in the Schedule (I.) to this Act annexed, to the High Constable of every Hundred or other like district within such county, riding, parts or division; and shall also cause to be delivered to the said High Constable with every such Warrant, for the use of the said High Constable, and for the use of the Overseers of every parish and township within his Constablewick as hereinafter provided, a sufficient number of the said printed Forms of Precepts, Notices and Lists; and also a sufficient number of Copies of such parts of the Register of Voters for such county, riding, parts or division then in force as shall relate to every parish or township within his said Constablewick.

4.
High Constables to issue Precepts with Forms of Notices, &c. to Overseers.

And be it further Enacted, That within *Ten* days after the receipt of such Warrant of the said Clerk of the Peace, every such High Constable shall make and cause to be delivered to the Overseers of the Poor of every parish and township within his Constablewick, his Precept, according to the Form numbered (2.) in the Schedule (I.) to this Act annexed, together with a sufficient number of the said printed Forms of Notices and Lists, and of the copies of such part of the said Register as shall relate to the respective parish or township.

5.
Overseers to give Notice annually, requiring Voters to send in their Claims.

And be it further Enacted, That the Overseers of the Poor of every parish and township shall, on the *Twentieth* day of *June* in every year, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same respectively, a Notice in writing, according to the Form numbered (3.) in the Schedule (I.) to this Act annexed, having first signed the same, requiring all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in Parliament, in respect of any property situate wholly or in part within such parish or township, who shall not be upon the Register of Voters then in force;

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force; and also all Persons so entitled as aforesaid, who being upon such Register, shall not retain the same qualification or continue in the same place of abode as described in such Register, to deliver or transmit to the said Overseers, on or before the *Twentieth* day of *July* then next ensuing, a Notice in writing by them signed of their Claim as such Voters, according to the Form numbered (4.) in the Schedule to this Act annexed, or to the like effect: Provided always, That it shall and may be lawful for any other Person so entitled to make his Claim as aforesaid, if he shall so think fit, although he shall be upon such Register.

6. Overseers to prepare Lists of Claimants.

And be it further Enacted, That the Overseers of the Poor of every parish and township, shall, on or before the *last* day of *July* in every year, make out or cause to be made out, according to the Form numbered (5.) in the Schedule (I.) to this Act annexed, an Alphabetical List of all Persons who on or before the *Twentieth* day of *July* then next preceding shall have claimed as aforesaid to be inserted in such List as Voters for the county or for the riding, parts or division of the county wherein such parish or township lies, in respect of any property situate wholly or in part within that parish or township; and in every List so to be made as aforesaid, the Christian Name and Surname of every Claimant shall be written at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the property, or the Name of the occupying Tenant thereof, as the same are respectively stated in his claim to vote; and the said Overseers, if they shall have reasonable cause to believe that any Person so claiming as aforesaid, or any Person who is upon that part of the Register of Voters then in force which relates to their parish or township, is not entitled to have his name upon the Register then next to be made for the county or for the riding, parts or division of the county in which their parish or township is situate, shall have power to add the word "Objected" opposite the name of every such Person on the margin of such List, or on the margin of such part of the said Register; and the said Overseers shall also have power to add the word "Dead" opposite the name of any Person in such part of the said Register, whom they shall have reasonable cause to believe to be dead; and the said List of Claimants being so made as aforesaid, they the said Overseers shall sign the same, and shall cause a sufficient number of copies of such List to be written or printed; and shall cause to be fixed one copy of such List, and also one copy of such part of the said Register, on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same respectively, on the *Two* Sundays next after such Lists shall have been made; and the said Overseers shall likewise keep a copy of such List, and a copy of such part of the said Register, to be perused by any person without payment of any fee, at all reasonable hours, during the *first two* weeks of *August* after

Overseers to have power of objecting to any Name either on such Lists or on the part of the Register of Voters for the time being relating to their Parish.

To have power to add the word "Dead" against any Name in such Lists or part of Register.

Overseers to fix Copies of such Lists and of the part of the Register of Voters relating to their own Parish on Churches and Chapels;

To keep Copies of Lists for Inspection and Sale.

such List shall have been made, and shall cause to be written or printed copies of the said Lists of Claimants, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each copy.

7. Provision as to Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, which shall have no Overseers of the Poor, shall, for the purpose of making such Claims, and making out such List as aforesaid, be deemed to be within the parish or township adjoining thereto, such parish or township being situate within the same county, or the same riding, parts or division of a county, as such precinct or place; and if such parish or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being; and the Overseers of the Poor of every such parish or township shall insert in the List for their respective parish or township, the Names of all Persons who shall claim as aforesaid to be inserted therein as Voters in the election of a Knight or Knights of the Shire for the county, or for the riding, parts or division of the county in which such precinct or place as aforesaid lies, in respect of any lands or tenements situate wholly or in part within such precinct or place.

8. The List of Claimants in any Parish, and the part of the Register relating to that Parish, to be deemed the List of Voters of such Parish.

And be it Enacted, That the List of Claimants (if any) so to be made out by the Overseers of every parish or township as aforesaid, and the part of the Register for the time being relating to that parish or township shall be deemed to be the List of Voters of such parish or township for the county, riding, parts or division of a county within which such parish or township may be situate; and every Person whose name is upon the part of the said Register relating to such parish or township shall be deemed to have had his name inserted in the List of Voters of such parish or township by the said Overseers thereof.

9. Any Person on the Register for the time being may object to any other Person named in the List of Voters as not entitled to be upon the List. Notice of Objection to be given to the Overseers.

And be it further Enacted, That every Person who shall be upon the Register for the time being for any county, or for any riding, parts or division of a county, may object to any Person whose name shall appear either upon any such List of Claimants so to be made as aforesaid, or upon any part of the said Register, as not having been entitled, on the *last* day of *July* then next preceding, to have his name inserted in the List of Voters for the parish or township to which such List or such part of the Register as shall contain his name may relate; and every Person so objecting, save and except Overseers objecting, in the manner hereinbefore mentioned, shall, on or before the *Twenty-fifth* day of *August* in every year, give or cause to be given to the Overseers of the Poor of the parish or township to which the List or the part of the Register containing the name of the Person so objected to may relate, a Notice in writing, according to the Form numbered (6.) in the Schedule (I.)

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(I.) to this Act annexed or to the like effect; and the Person so objecting, and the said Overseers in case of their objecting as aforesaid, shall, on or before the *Twenty-fifth* day of *August* in every year, give to the Person so objected to a Notice in writing, according to the Forms numbered (7.) and (8.) respectively in the Schedule (I.) to this Act annexed, or to the like effect, either by delivering the same to him or by leaving the same at his place of abode as described in such List or part of the said Register, or by delivering the same to the occupying Tenant of the qualifying premises described in such List or part of the said Register: Provided always, That every such Notice of objection shall be signed by the party so objecting as aforesaid, and the ground or grounds of objection shall be stated therein; and that wherever the place of abode of the Person objected to as described in the List or part of the said Register, shall not be in the parish or township to which such List or part of the said Register may relate, it shall be sufficient, if the Notice so required to be given to him as aforesaid shall, on or before the said *Twenty-fifth* day of *August*, be sent by the Post, free of postage, or the sum chargeable as postage for the same being first paid, directed to him at his place of abode, as described in such List or part of the said Register.

Notice of Objection in all cases to be given to the Party.

Grounds of Objection to be stated in the Notice.

Notice in certain cases may be sent by the Post.

10. And be it Enacted, That the said Overseers shall include the names of all Persons so objected to in a List according to the Form numbered (9.) in the said Schedule (I.) to this Act annexed, and shall cause copies of such List to be fixed on or near the outer doors of all Churches and Chapels within their parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the *Two* Sundays next preceding the *Fifteenth* day of *September* in every year; and the said Overseers shall also keep a copy of such List to be perused by any Person without payment of any fee, at all reasonable hours during the *Ten* Days next preceding the said *Fiftee nh* day of *September* in every year; and shall deliver a copy of such List to any Person requiring the same on payment of *One Shilling* for each copy.

10. Lists of Persons objected to, to be published.

11. And be it Enacted, That on the *Twenty-ninth* day of *August* in every year, the Overseers of every parish or township shall deliver to the High Constable of the hundred or other like district wherein the said parish or township is situate, a copy of the List of Claimants so made out as aforesaid; and a copy of the part of the said Register relating to their parish or township, and also a copy of the List of Persons objected to so made out as aforesaid, and the original notices of objection so given to them as aforesaid; and such High Constable shall forthwith deliver all such copies of Lists and of the parts of the Register, and all such original Notices of objection, to the Clerk of the Peace of the county or of the riding, parts or division of county respectively, and such Clerk of the Peace shall thereupon make out an

11. Lists, &c. to be delivered to High Constables to be forwarded to the Clerk of the Peace.

Counties.

Abstract of the Number of Persons objected to by the Overseers and by other Persons in each parish and township, and of the grounds of objection stated in the respective Notices.

12. Lord Chief Justice and Judges of Assize to appoint Barristers for revising the Lists of Voters.

And be it further Enacted, That the Lord Chief Justice of the Court of King's Bench for the time being, shall in the Month of *July* or *August* in every year nominate and appoint for Middlesex, and the Senior Judge for the time being in the Commission of Assize for every other county shall during the Summer Circuit in every year nominate and appoint a Barrister or Barristers, each such Barrister being of not less than *Three* Years' standing, to revise the List of Voters for the election of a Knight or Knights of the Shire for every such county, or for the riding, parts or divisions of such county; and such Barrister or Barristers so nominated and appointed as aforesaid shall immediately on such appointment notify the same to the Clerk of the Peace for the said county, riding, parts or division, who shall thereupon transmit the said copies of Lists and of parts of the said Register, and also the said Abstract so made out by him as aforesaid, to the said Barrister or Barristers, in order that proper times and places may be fixed for the holding of the Courts for the revision of the said Lists as hereinafter provided.

13. Barristers to hold Courts for revising Lists of Voters within a certain period;

to give notice of the times and places of holding such Courts to Clerk of the Peace.

Clerk of the Peace to give notice thereof by Advertisement, and to the High Constables.

High Constables to give public notice and notice to the Overseers.

And be it further Enacted, That such Barrister or Barristers shall make a circuit of the county, riding, parts or division for which he or they shall be so appointed as aforesaid, and shall hold open Courts therein for such revision as aforesaid at convenient times and places, such times being between the *Fifteenth* day of *September* inclusive and the *First* day of *November* inclusive in every year; and such Barrister or Barristers shall, *Ten* days at the least before the holding of the first Court of Revision as aforesaid, give Notice to the Clerk of the Peace of the several times and places at which the said Courts shall be holden; and the said Clerk of the Peace shall cause public notice thereof to be given by advertisement in some of the Newspapers circulating within the said county, riding, parts or division, and shall also cause notice thereof to be given to the High Constable of every hundred or other like district within the same respectively; and the said High Constable shall cause a Notice thereof to be fixed up in some public and conspicuous situation at every place within his said Constablewick appointed for the holding of any such Court, and shall give Notice to the Overseers of every parish and township within his Constablewick of the time and place of holding the Court for revising the List of such parish and township, requiring them to attend the same.

14. Clerk of the Peace to attend the first

And be it Enacted, That the Clerk of the Peace at the opening of the first Court of Revision to be so holden as aforesaid, shall deliver

or

or cause to be delivered to the said Barrister or Barristers the several Notices of objection which shall have been delivered to such Clerk of the Peace by the respective High Constables as aforesaid, and the High Constable of every hundred or other like district shall attend the Court or Courts to be held for revising the List relating to any parish or township within his Constablewick, and the Overseers of every parish and township shall attend the Court to be held for revising the Lists relating to their parish or township, and shall deliver to the Barrister or Barristers holding such Court the original notices of claim, and the List of Claimants, and the List of Persons objected to, so made out by them respectively as aforesaid, and the said High Constables and Overseers shall answer upon oath all such questions as such Barrister or Barristers may put to them or any one of them touching any matter necessary for such revision as aforesaid.

Court, and High Constables and Overseers to attend the Courts for their respective Districts and Parishes.

15. And be it Enacted, That where Two or more Barristers shall be appointed for the same county, riding, parts or division of a county, they shall attend at the same places together, but may sit apart and hold separate Courts at the same time for the despatch of business.

15. Barristers may hold separate Courts.

16. And be it Enacted, That every such Barrister shall expunge from the List of Voters of any Parish or Township the Name of every Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such Person was entitled, on the *last* day of *July* then next preceding, to be inserted in such List in respect of his qualification as stated in such List; or in case it shall be proved that such Person was then incapacitated by law or by any statute from voting in the election of Members to serve in Parliament; and shall also expunge as aforesaid the Name of every Person whose qualification as stated in the said List shall appear upon the face thereof to be necessarily insufficient to entitle the said Person to be inserted in such List, and also the Name of every Person who shall be proved to him to be dead; and the said Barrister shall correct any mistake which shall be proved to him to have been made in the said List as to any of the particulars required by this Act to be inserted therein; and wherever the Christian Name of any Person, or his place of abode, or the nature of his qualification, or the local or other description of his property, or the Name of the occupying Tenant thereof, be wholly omitted from the said List, such Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted shall be supplied to the satisfaction of such Barrister before he shall have completed the revision thereof, in which case he shall then and there insert the same accordingly: Provided always, That no Person's Name shall be expunged as aforesaid except in case of the statement of an insufficient qualification, or of his death, or of any such omission as hereinbefore mentioned, unless the Overseers or other Party who shall have objected to such Person shall appear before the said Barrister, by themselves or himself,

16. Powers of Barrister as to expunging Names from Lists.

Power to rectify mistakes and supply omissions.

Mode of proceeding in cases of objected Votes

himself, or by some one on their or his behalf, in support of such objection, nor unless the said Barrister shall be satisfied that the respective Notices of objection shall have been duly given: Provided also, That the said Barrister shall not inquire into or allow any objection to be inquired into, the ground whereof shall not have been stated in the said respective Notices.

17. Barrister to have power to insert in Lists the Names of Claimants omitted by the Overseers on proof of due claim and qualification.

And be it Enacted, That if it shall happen that any Person who shall have given to the Overseers of any parish or township due notice of his claim to have his Name inserted in the List of Persons entitled to vote in the election of a Knight or Knights of the Shire, shall have been omitted by such Overseers from such List, it shall be lawful for the Barrister, upon the revision of such List, to insert therein the Name of the Person so omitted, in case it shall be proved to the satisfaction of such Barrister that such Person gave due notice of his claim to the said Overseers, and that he was entitled on the *last* day of *July* then next preceding to be inserted in the List of Persons entitled to vote in the election of a Knight or Knights of the Shire for the county, or for the riding, parts or division of the county wherein the parish or township of such Overseers may be situate, in respect of the qualification described in such Notice of claim.

18. Voters residing out of the Polling District to which the Parish wherein their qualification is situate belongs, may vote in another Polling District on making a claim before the Revising Barrister.

AND whereas it was enacted by the said recited Act, that at every contested Election for any county, riding, parts or division of a county, Booths for taking the Poll at the principal place of Election, and also at each of the Polling Places for such county, riding, parts or division, should be erected as therein mentioned, and that no Person should be admitted to vote at any such Election in respect of any property situate in any parish, township or place, except at the Booth allotted for such parish, township or place; and if no Booth should be allotted for the same, then at any of the Booths for the same district: AND whereas it is expedient that certain Voters should be admitted to vote elsewhere than at the Polling Place of the district wherein their qualification may be situate; BE it therefore Enacted, That wherever the place of abode of any Voter for any county, riding, parts or division of a county, as stated in the List of Voters of any parish or township within the same, shall not be within the Polling District of such parish or township, every such Voter whose said place of abode shall be within such county, riding, parts or division of a county respectively, shall, if duly registered in that behalf, be admitted to vote at the Polling Place of the district wherein his said place of abode may be situate; and every such Voter whose said place of abode shall not be within such county, riding, parts or division of a county shall, if duly registered in that behalf, be admitted to vote at the Polling Place of any other district, to be by him selected; any thing in the said recited Act to the contrary notwithstanding:

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notwithstanding: Provided always, That in order to be registered for that purpose, every such Voter who may be desirous of being admitted to vote at some other Polling Place than the Polling Place of the district wherein his qualification may be situate, shall make his claim to be admitted to vote at such other Polling Place before the Barrister holding his Court for the revision of the List wherein the Name of such Voter shall appear; and thereupon the said Barrister shall insert in the said List the Name of such Polling Place against the Name of such Claimant: Provided also, That if such Voter shall not personally appear before the said Barrister, such claim shall be made in writing signed by the said Voter, and shall be then and there verified on oath: Provided also, That every such Voter against whose Name in the Register for the time being the Name of any Polling Place shall be stated, shall not be admitted to vote elsewhere than at such last-mentioned Polling Place.

Cities and Boroughs.

19. Returning Officer to have Forms of Precepts, &c. printed.

And be it Enacted, That the Returning Officer of every city or borough entitled to return a Member or Members to serve in Parliament shall cause a sufficient number of Forms of Precepts, Notices and Lists to be printed, according to the Forms numbered (1. 2. 3. 4. 6. 7.) in the Schedule (II.) to this Act annexed, at the expense of such city or borough, and shall within the *first* week in *June* in every year, make and cause to be delivered to the Overseers of the Poor of every parish or township situate wholly or in part within such city or borough, or within any place sharing in the Election for such city or borough, his Precept according to the Form numbered (1.) in the Schedule to this Act annexed; and shall also within the said *first* week in *June*, make and cause to be delivered to the Town Clerk of such city or borough, and to the Town Clerk of every place sharing in the Election for such city or borough, his Precept according to the Form numbered in the said Schedule; and the said Returning Officer shall also cause to be delivered to the said Overseers and Town Clerks with every such Precept a sufficient number of the said printed Forms of Notices and Lists.

To issue his Precept to the Overseers and to the Town Clerk.

20. Overseers to give public Notice as to the payment of Rates and Taxes by Occupiers of Premises of the yearly value of 10*l.*

And be it Enacted, That the Overseers of every such parish or township shall, on or before the *Twentieth* day of *June* in each year, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same, a Notice in writing according to the Form numbered (2.) in the said Schedule (II.), stating that no Person will be entitled to have his Name inserted in any List of Voters for the city or borough then next to be made, in respect of the occupation of premises of the clear yearly value of not less than *Ten* Pounds, situate wholly or in part within such parish or township, unless he shall pay, on or before the *Twentieth* day of *July* then next ensuing, all the Poor's Rates and

Assessed Taxes which shall have become payable from him in respect of such premises during the *Twelve* calendar Months next before the *Sixth* day of *April* then last past; and that all Persons omitting to make such payment will be incapable of being upon the Register of Voters for the said city or borough then next to be made.

21. Overseers to have power of inspecting Tax Assessments, &c.

And be it Enacted, That the Overseers of every parish or township, for their assistance in making out the List of Voters as hereinafter mentioned, (upon request made by them or any of them at any reasonable time between the *first* day of *June* and the *last* day of *July* in every year, to any Assessor or Collector of Taxes, or to any other Officer having the custody of any duplicate or Tax Assessment for such parish or township), shall have free liberty to inspect any such duplicate or Tax Assessment, and to extract therefrom such particulars as may appear to such Overseer or Overseers to be necessary; and every such Assessor or Collector of Taxes shall, within *Two* Days after the said *Twentieth* day of *July*, make out and deliver to the said Overseers a List containing the Name and place of abode of every Person who shall not have paid on or before the said *Twentieth* day of *July* the Assessed Taxes which shall have become payable from him in respect of any premises within the said parish or township during the *Twelve* calendar Months next before the *Sixth* day of *April* then last past; and the said Overseers shall keep the said List to be perused by any Person without payment of any fee at all reasonables hours during the first two weeks after the Lists of Voters shall have been made as hereinafter mentioned.

22. Overseers to prepare Lists of Persons (other than Freemen) entitled to vote.

And be it further Enacted, That the Overseers of every such parish or township shall, on the *Thirty-first* day of *July* in every year, or within *Three* Days then next following, make out or cause to be made out according to the Form numbered (3.) in the Schedule (II.) to this Act annexed, an Alphabetical List of all Persons who may be entitled to vote in the election of a Member or Members to serve in Parliament for such city or borough, in respect of the occupation of premises of the clear yearly value of not less than *Ten Pounds*, situate wholly or in part within such parish or township, and another Alphabetical List, according to the Form numbered (4.) in the said Schedule (II,) of all other Persons (except Freemen) who may be entitled to vote in the Election for such city or borough by virtue of any other right whatsoever; and in each of the said Lists the Christian Name and Surname of every such Person shall be written at full length, together with the nature of his qualification; and where any Person shall be entitled to vote in respect of any property, then the Name of the Street, Lane or other description of the place where such property may be situate, shall be specified in the List; and where any Person shall be entitled to vote otherwise than in respect of any property, then the Name of the Street, Lane or other description of the Place of Abode of such Person shall be specified in the List; and they, the said Overseers, shall also forthwith after the making of such Lists, sign the same, and

Copies of Lists to be fixed on

cause

cause a sufficient number of copies of such Lists to be fixed on or near the outer doors of all the Churches and Chapels in their several parishes and townships, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the *Two* Sundays next after such Lists shall have been made out; and the said Overseers shall likewise keep Copies of such Lists to be perused by any Person without payment of any Fee, at all reasonable hours during the first *Two* Weeks after such Lists shall have been made, and shall cause to be written or printed Copies thereof, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each Copy.

Churches and Chapels.

Copies of Lists to be kept for inspection and for sale.

23. Provision for Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, having no Overseers of the Poor, and being within any city or borough, or within any place sharing in the election for any city or borough, shall, for the purpose of making out the Lists of Voters for such city or borough, be deemed to be within the parish or township adjoining thereto, and situate wholly or in part within such city or borough, or within such place sharing in the election therewith; and if such precinct or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being; and the Overseers of every such parish or township shall insert in the List for their respective parish or township the Names of all Persons who may be entitled to vote in the election of a Member or Members to serve in any future Parliament for any such city or borough, in respect of any property occupied by such Persons within such city or borough, or within any place sharing in the election therewith; such property being situate wholly or in part within such precinct or place as aforesaid.

24. Persons omitted from the Overseers' Lists to give notice of their Claims.

And be it Enacted, That every Person whose Name shall have been omitted in any such List of Voters for any city or borough so to be made out by the Overseers as aforesaid, and who shall claim to have his Name inserted therein as having been entitled on the *last* day of *July* then next preceding, shall on or before the *Twenty-fifth* day of *August* in that year give or cause to be given a notice in writing according to the Form numbered (5.) in the said Schedule (II.) or to the like effect, to the Overseers of that parish or township in the List whereof he shall claim to have his Name inserted; and the Overseers shall include the Names of all Persons so claiming as aforesaid in a List according to the Form numbered (6.) in the said Schedule (II.).

List of Claimants to be made.

25. Town Clerk to give a notice requiring Freemen entitled to in vote to send their claims in certain cases.

And be it Enacted, That the Town Clerk of every such city or borough shall, on the *Twentieth* day of *June* in every year, cause to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, then to be fixed in some public and conspicuous situation within such

such city or borough, a Notice in writing according to the Form numbered (8.) in the Schedule (II.), requiring all Persons entitled to vote as Freemen in the election of a Member or Members to serve in Parliament for such city or borough who shall not be upon the Register of Voters for the said city or borough then in force; and all Persons so entitled as Freemen, who, being upon such Register, shall not continue in the same place of abode as described in such Register, to deliver or transmit to the said Town Clerk, on or before the *Twentieth* day of *July* in that year, a Notice in writing by them signed of their Claim as such Freemen, according to the Form numbered (9.) in the said Schedule (II.); and the Town Clerk of every place sharing in the election of any city or borough shall, on the said *Twentieth* day of *June* in every year, in like manner give a like notice.

26. Town Clerks to prepare Lists of Freemen.

And be it Enacted, That the Town Clerk of every such city or borough shall on or before the *last* day of *July* in every year, make out, or cause to be made out, according to the Form numbered (9.) in the said Schedule (II.), an Alphabetical List containing the Names of all Persons who shall be upon the Register for the time being for such city or borough as Freemen; and also the Names of all Persons who shall claim as aforesaid to be inserted in the List as such Freemen; and in every such List so to be made by the said Town Clerk, the Christian Name and Surname of every Person shall be written at full length, together with the place of his abode, as set forth in such Register or Claim to vote respectively; and the Town Clerk of every place sharing in the election for any city or borough shall on the said *last* day of *July* make out or cause to be made out, in the same manner, a like List of all Persons upon the said Register, or claiming as aforesaid as Freemen of such place; and every such Town Clerk, if he shall have reasonable cause to believe that any Person who is upon the said Register for the time being, or any Person so claiming as aforesaid, is not entitled to have his name upon the Register then next to be made for such city or borough as a Freeman, shall have power to add the word "Objected" opposite the name of every such Person on the margin of the List; and shall also have power to add the word "Dead" opposite to the name of every Person, in the margin of such List, whom such Town Clerk shall have reasonable cause to believe to be dead; and every such Town Clerk shall sign such List, and shall cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within such respective city, borough or place as aforesaid, on the *Two* Sundays next after such List shall have been made; and shall likewise keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the *Two first* Weeks after such List shall have been made; and shall cause to be written or printed copies thereof, to be by him delivered to all persons applying for the same, on payment of a reasonable price for each

Town Clerks to have power of objecting to any Name in the List, and to add the word "Dead" against any Name.

Lists to be fixed on the Town Hall.

Copies of Lists to be kept for inspection and sale.

each copy: Provided always, That where there shall be no Town Clerk for such city, borough or place as aforesaid, or where the Town Clerk shall be dead or incapable of acting, all matters by this Act required to be done by and with regard to the Town Clerk, shall be done by and with regard to the Person executing duties similar to those of the Town Clerk, and if there be no such Person, then by and with regard to the Chief Civil Officer of such city, borough or place.

27. Persons named in the List may object to other Persons as not being entitled to be in the List. Notices of Objection to be given to the Overseers, or in case of Persons on the List of Freemen to the Town Clerk.

And be it Enacted, That every Person whose name shall have been inserted in any List of Voters for any city or borough, may object to any other Person as not having been entitled on the *last* day of *July* then next preceding to have his name inserted in any List of Voters for the same city or borough; and every Person so objecting shall, on or before the *Twenty-fifth* day of *August* in that year, give or cause to be given a Notice in writing, according to the Form numbered (10.) in the said Schedule (II.), or to the like effect, to the Overseers who shall have made out the List in which the Name of the Person so objected to shall have been inserted; or if the Person objected to shall have been inserted in the List of Freemen of any city, borough or place as aforesaid, then to the Town Clerk of such city, borough or place: Provided always, That every such Notice of Objection shall be signed by the Person so objecting as aforesaid, and the ground or grounds of objection shall be stated therein.

Grounds of Objection to be stated in Notice.

28. Lists of Persons objected to, to be made. Such Lists, and the List of Claimants, to be fixed on Churches and Chapels.

And be it Enacted, That the Overseers shall include the names of all Persons so objected to as aforesaid in a List according to the Form numbered (11.) in the said Schedule (II.), and shall cause copies as well of the said List of Persons objected to as aforesaid, as also of the said List of Persons claiming as before mentioned, to be fixed on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no Church or Chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the *Two* Sundays next preceding the *Fifteenth* day of *September* in such year; and every Town Clerk shall include the Names of all Persons so objected to as Freemen in a List according to the Form numbered (12.) in the said Schedule (II.), and shall cause a copy of such List to be fixed on or near the door of the Town Hall, or if there be no Town Hall, then to be fixed up in some public and conspicuous situation within his respective city, borough or place as aforesaid, on the *Two* Sundays hereinbefore last mentioned in that year; and the Overseers and Town Clerks shall keep Copies of such Lists respectively, and shall allow the same, and also the Notices of Objection so to be given as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the *Ten* Days next preceding the said *Fifteenth* day of *September* in that year, and shall deliver a copy of each of such Lists to any Person requiring the same, on payment of *One Shilling* for each copy.

Lists of Persons objected to as Freeman to be made and fixed on Town Hall.

Copies of Lists and Notices of Objection to be kept for inspection.

29. Overseers and Town Clerks to deliver Copies of Lists to the Returning Officer.

And be it further Enacted, That the said Overseers shall, on the *Twenty-ninth* day of *August* in that year, deliver to the Returning Officer of such city or borough a copy of the List of Voters so made out by them as aforesaid, and a copy of the List of Persons who shall have claimed as aforesaid, and a copy of the List of Persons objected to as aforesaid; and every such Town Clerk shall, on the said *Twenty-ninth* day of *August*, deliver to the said Returning Officer a copy of the List of Persons entitled to vote as Freemen so made out by him as aforesaid, and a copy of the List of Persons so objected to as Freemen as aforesaid.

30. Freemen and Liverymen of the City of London.

And be it Enacted, That for providing a List of such of the Freemen of the City of London as are Liverymen of the several Companies entitled to vote in the election of a Member or Members to serve in any future Parliament for the City of London, the Returning Officer or Officers of the said City shall, on or before the *last* day of *July* in the present and each succeeding year, issue Precepts to the Clerks of the said Livery Companies, requiring them forthwith to make out or cause to be made out, at the expense of the respective Companies, an Alphabetical List according to the Form in the Schedule (III.) to this Act annexed, of the Freemen of London being Liverymen of the said respective Companies, and entitled to vote in such Election; and every such Clerk shall sign such List, and transmit the same, with *Two* printed Copies thereof, to such Returning Officer or Officers, who shall forthwith fix *One* such Copy in the Guildhall and *One* in the Royal Exchange of the said City, there to remain *Fourteen* Days in the present and in every subsequent year; and the Clerks of the said Livery Companies shall cause a sufficient number of such Lists of Freemen and Liverymen of their respective Companies to be printed at the expense of the respective Companies, and shall keep the same to be perused by any Person, without payment of any fee, at all reasonable hours during the *Two first* Weeks after such Lists shall have been printed; and every Person whose Name shall have been omitted in any such List of Freemen and Liverymen, and who shall claim to have his Name inserted therein as having been entitled on the *last* day of *July* then next preceding, shall on or before the *Twenty-fifth* day of *August* in the present and in every succeeding year give or cause to be given a Notice in writing, according to the Form numbered (1.) in the said Schedule (III.), or to the like effect, to the Returning Officer or Officers, and to the Clerk of that Company in the List whereof he shall claim to have his Name inserted; and the Returning Officer or Officers shall include the Names of all Persons so claiming as aforesaid in a List, according to the Form numbered (2.) in the said Schedule (III.), and shall cause such last-mentioned List to be fixed in the Guildhall and Royal Exchange of the said City on the *Two Mondays* next preceding the *Fifteenth* day of *September* in the present and in every succeeding year; and the said Returning Officer or Officers

and

and Clerks of the said Companies shall likewise keep a copy of the Names of all the Persons so claiming as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the *Ten* Days next preceding the said *Fifteenth* day of *September* in the present and in every succeeding year; and every Person who shall object to any other Person as not having been entitled on the *last* day of *July* then next preceding to have his Name inserted in any such Livery List, shall, on or before the *Twenty-fifth* day of *August* in the present and in every succeeding year, give to such other Person, or leave at his usual place of abode a Notice in writing, according to the Form numbered (3.) in the said Schedule (III.), or to the like effect; and in the City of London the Returning Officer or Officers shall take the poll or votes of such Freemen of the said City, being Liverymen of the several Companies, as are entitled to vote at such Election in the Guildhall of the said city; and the said Returning Officer or Officers shall not be required to provide any booth or compartments, but shall appoint or take One Poll for the whole number of such Liverymen at the same place.

31. Lord Chief Justice and Judges of Assize to appoint Barristers for revising Lists.

And be it Enacted, That the Lord Chief Justice of the Court of King's Bench for the time being, shall, in the month of *July* or *August* in every year, nominate and appoint so many Barristers as the said Lord Chief Justice shall deem necessary, each such Barrister being of not less than *Three* Years' standing, to revise the respective Lists of Voters for the City of London and for the City of Westminster, and for the several boroughs in the County of Middlesex, and that the Senior Judge for the time being in the Commission of Assize for every other county, shall during the Summer Circuit in every year nominate and appoint so many Barristers as the said Judge shall deem necessary, each such Barrister being of not less than *Three* Years' standing, to revise the respective Lists of Voters, as well for the several cities and boroughs in every such county as for every city and town and county of a city and town next adjoining to any such county; and the town and county of the town of Kingston-upon-Hull, shall for this purpose be considered as next adjoining to the county of York, and the town and county of the town of Newcastle-upon-Tyne as next adjoining to the county of Northumberland, and the city and county of the city of Bristol as next adjoining to the county of Somerset; and the said Lord Chief Justice and Judge respectively shall have power to nominate and appoint one or more Barristers to revise the Lists for the same city or borough or other place as aforesaid, or one Barrister only to revise the Lists for several cities, boroughs and other places as aforesaid: Provided always, That no Member of Parliament, nor any Person holding any office or place of profit under the Crown, shall be appointed as such Barrister as aforesaid, and that no Barrister so appointed as aforesaid shall be eligible to serve in Parliament for *Eighteen Months* from the time of his appointment for any city, borough or other

place as aforesaid for which he shall be so appointed: Provided also, That nothing herein contained shall prevent the same Barrister from being appointed to revise the Lists for *Two* or more counties, ridings, parts or divisions, or for any county, riding, parts or division, and any one or more of the cities or boroughs therein.

32. Barrister to notify his appointment to Returning Officer, who is to transmit to him all Lists.

And be it Enacted, That every Barrister who shall hereafter be appointed to revise the Lists of Voters in any city or borough, shall, immediately upon his appointment, notify the same to the Returning Officer of every such city or borough, and such Returning Officer shall forthwith transmit copies of the Lists of Voters, and of Persons claiming to be inserted in such Lists, and of the Persons objected to, to the Senior Barrister, where more than one shall be appointed, in order that the said Barrister or Barristers may fix proper times for the holding his or their Courts for the revision of the List of Voters for such city or borough.

33. Barrister to hold Courts, and give notice thereof to the Returning Officer, who is to publish the same.

And be it Enacted, That the Barrister or Barristers so appointed to revise the Lists of Voters for any city or borough, shall hold an open Court or Courts for that purpose within such city or borough, and also within every place sharing in the election for such city or borough at the same time, between the *Fifteenth* day of *September* inclusive and the *First* day of *November* inclusive in every year, and such Barrister or Barristers shall *Ten* Days at the least before holding of such Court or Courts, give Notice to the Returning Officer of such city or borough of the time of holding the same; and the said Returning Officer shall forthwith cause a Notice thereof to be fixed up on the outer doors of all Churches and Chapels within such city, borough or place, and on the outer door of the Town Hall of such city, borough or place respectively, or if there be no Church or Chapel or Town Hall therein, then to be fixed up in some public and conspicuous place within the same respectively.

34. Returning Officer, Town Clerks and Overseers of the present and past year to attend the Courts.

And be it further Enacted, That the Returning Officer of every such city or borough, and the Town Clerk of every such city or borough or place sharing in the election therewith, and the several Overseers for the time being of every parish or township within every such city, borough or place as aforesaid, and also such of the Overseers thereof for the year then last past, as shall at the time of the holding of such Court be resident within such city or borough, and in the City of London the Clerks of the several Livery Companies of such city, shall attend the Court to be holden before every such Barrister for every such city, borough or place as aforesaid, and shall answer, upon Oath, all such questions as such Barrister may put to them, or any of them, touching any matter necessary for revising the Lists of Voters; and the said Overseers and Town Clerks respectively shall, at the opening of the said Court, deliver to the said Barrister the several Lists so made out by

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by them respectively as aforesaid, and also the original Notices of Claim, and the original Notices of Objection, so given to them as aforesaid; and the said Overseers shall also produce at the said Court all Rates made for the relief of the Poor of their respective parishes or townships, between the *Thirty-first* day of *July* in the year then last past and the *Thirty-first* day of *July* in the then present year; and every such Barrister shall have power to require any Assessor, Collector of Taxes, or other Officer having the custody of any Duplicate or Tax Assessment, or any Overseer or Overseers, or other Person, having the custody of any Poor Rate, to produce the same respectively before him at any Court to be held by him for the purpose of assisting him in revising the Lists to be by him revised in pursuance of this Act.

35. Powers of Barrister to insert and expunge Names.

And be it Enacted, That every such Barrister shall insert in the List of Voters the Name of every Person omitted therefrom, who shall be proved to the satisfaction of such Barrister to have given due Notice of his Claim to be inserted in any such List of Voters for such city or borough, and to have been entitled on the *last* day of *July* then next preceding to have his Name inserted therein in respect of the qualification described in such Claim; and such Barrister shall expunge from the List the name of every Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such Person was entitled on the *last* day of *July* then next preceding to have his Name inserted in the List of Voters for the said city or borough, in respect of the qualification described in such List; or in case it shall be proved to the satisfaction of such Barrister that such Person was then incapacitated by law or by any statute from voting in the election of Members to serve in Parliament, and shall also expunge the name of every Person who shall be proved to him to be dead; and such Barrister shall correct any mistake which shall be proved to him to have been made in any such List as to any of the particulars required to be inserted in such Lists; and wherever the Christian Name, or the place of Abode, or the nature of the Qualification, or the local description of the Property of any Person who shall be included in any such List, shall be wholly omitted in any case where the same is by this Act directed to be specified therein, such Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted be supplied to the satisfaction of such Barrister before he shall have completed the revision of such List, in which case he shall then and there insert the same in such List: Provided always, That no Person's Name shall be expunged as aforesaid except in case of his death, or of any such omission as hereinbefore mentioned, unless the Party who shall have objected to such Person shall appear before the said Barrister, by himself or by some one in his behalf, in support of such objection, or in default of such appearance, some other Person, whose Name shall be in some List of Voters for the said city or borough, shall then and there

Mode of proceeding in cases of Objection.

Cities and Boroughs.

there appear to support such objection, and shall declare, by writing by him signed and delivered to the said Barrister, that he is willing to be deemed to be the party objecting in the place and stead of the party who shall have given the Notice of Objection as aforesaid, nor unless the said Barrister shall be satisfied that the Notice of Objection shall have been duly given as is hereinbefore required in each of the said cases: Provided also, That the said Barrister shall not inquire into, or allow any Objection to be inquired into, the ground whereof shall not have been stated in the said Notice.

Counties, Cities and Boroughs.

36. Power of Revising Barristers to adjourn their Courts, administer Oaths, &c.

And be it Enacted, That every Barrister holding any Court under this Act as aforesaid shall have power to adjourn the same from time to time and from any one place to any other place or places within the same county, riding, parts or division, or within the same city or borough, or within any place sharing in the election for such city or borough, but so as that no such adjourned Court shall be held after the *First* day of *November* in any year; and every such Barrister shall have power to administer an oath (or in the case of a Quaker or Moravian an affirmation) to all Persons making objection to the insertion or omission of any Name in any of such Lists as aforesaid, and to all Persons objected to or claiming to be inserted in any of such Lists, or claiming to have any mistake corrected or any omission supplied in any of such Lists, and to all Witnesses who may be tendered on either side; and that if any Person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be deemed guilty of *Perjury*, and shall be punished accordingly; and that at the holding of such respective Courts the Parties shall not be attended by Counsel, and that every such Barrister shall upon the hearing in open Court finally determine upon the validity of such claims and objections, and shall for that purpose have the same powers, and proceed in the same manner (except where otherwise directed by this Act) as the Returning Officer of any county, city or borough, according to the laws and usages now observed at elections; and such Barrister shall in open Court write his Initials against the Names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected or any omission supplied, or the name of any polling place inserted, and shall sign his Name to every page of the several Lists so settled.

37. Judges to appoint additional Barristers in case of need.

And be it Enacted, That notwithstanding any thing herein before contained, if it shall be made to appear to the Lord Chief Justice or Judge who shall have appointed any Barrister or Barristers under this Act to revise the List of Voters, that by reason of the death, illness or absence of any such Barrister or Barristers, or by reason of the insufficiency of the number of such Barristers, or from any other cause, such Lists cannot be revised within the period directed by this Act, it shall

shall be lawful for such Lord Chief Justice or Judge, and he is hereby required to appoint one or more Barrister or Barristers, each of such Barristers being of not less than *Three* Years' standing, to act in the place of or in addition to the Barrister or Barristers originally appointed; and such Barrister or Barristers so subsequently appointed shall have the same powers and authorities in every respect as if they had been originally appointed by such Lord Chief Justice or Judge.

38. County Lists to be transmitted to Clerk of the Peace, and to be by him copied into a Book.

And be it Enacted, That the Lists of Voters for each county, or for the riding, parts or division of each county so signed as aforesaid by any such Barrister, shall be forthwith transmitted by him to the Clerk of the Peace of the county, riding or parts for which such Barrister shall have been appointed; and the Clerk of the Peace shall keep the said Lists among the Records of the Sessions, arranged with every hundred in alphabetical order, and with every parish or township within such hundred likewise in alphabetical order, and shall forthwith cause the said Lists to be fairly and truly copied by the same order, in a book to be by him provided for that purpose; and shall prefix to every name so copied out its proper number, beginning the numbers from the first name, and continuing them in a regular series down to the last name, and shall complete and deliver such book on or before the *Tenth* day of *November* in every year to the Sheriff of the County or his Under Sheriff, who shall safely keep the same, and shall at the expiration of his office deliver over the same to the succeeding Sheriff or his Under Sheriff; and the Lists of Voters for each city or borough so signed as aforesaid by any such Barrister, shall be forthwith delivered by him to the Returning Officer for such city or borough, who shall safely keep the same, and shall cause the said Lists to be fairly and truly copied in a book to be by him provided for that purpose, with every name therein numbered according to the directions aforesaid; and shall cause such book to be completed on or before the *Tenth* day of *November* in every year, and shall deliver over such book, together with the Lists, at the expiration of his office, to the person succeeding him in such office; and every such book to be so completed on or before the *Tenth* day of *November* in every year shall be the Register of Electors to vote at any election which shall take place between the *Tenth* day of *November* inclusive, in the year wherein such respective Register shall have been made, and the *Tenth* day of *November* in the succeeding year.

Borough Lists to be delivered to the Returning Officer, and to be by him copied into a Book.

Such Books to be the Register of Voters for One Year.

39. Persons may be subpœnaed as Witnesses before the Courts of the Revising Barristers.

AND whereas it is expedient to make provision for compelling the attendance of Witnesses before the Courts of the Revising Barristers, for the purpose of being examined touching any matters cognizable before such Courts; BE it therefore Enacted, That the Clerk of the Crown Office of the Court of King's Bench at Westminster, and the Clerk of the Peace of every county, riding, part or division, shall and

Counties, Cities and Boroughs.

they are hereby respectively required, upon the application of any Party requiring the same, to issue a Subpœna or Subpœnas for compelling the attendance of any Person or Persons before the Court of any Revising Barrister, to be examined touching any matter cognizable before such Court.

40. Proceedings against Persons subpœnaed who shall not attend the Court.

And be it further Enacted, That the service of every such Subpœna upon any Person shall be good and effectual to compel the attendance of such Person to be examined before such Court in every part of England and Wales; and in case the Person served shall not appear according to the exigency of such Subpœna, it shall be lawful for the Revising Barrister before whose Court such Person was in such Subpœna required to attend, to transmit a Certificate of such default under his hand to the Court of King's Bench in England, and this last-mentioned Court shall and may proceed against and punish such Person so having made such default, in like manner as they might have done if such Person had neglected or refused to appear in obedience to a Subpœna issued out of such Court: Provided always, That the said last-mentioned Court shall not in any case proceed against or punish any Person for having made default by not appearing to give evidence in obedience to any such Subpœna, unless it shall be made to appear to such Court that a reasonable and sufficient sum of money to defray the expenses of coming and attending to give evidence, and of returning from giving evidence, had been tendered to such Person at the time when such Subpœna was served upon such Person.

Counties.

41. Power to Barristers to fine High Constables for neglect of duty.

And be it Enacted, That if any High Constable within the meaning of this Act shall wilfully refuse or neglect to make and deliver his Precept as hereinbefore directed to the Overseers of any parish or township within his constablewick, or shall wilfully refuse or neglect to deliver with such Precept such a number of the Forms of Notices and Lists, and of the copies of the part of the Register relating to such parish or township, as he shall bonâ fide deem sufficient, or to deliver such additional number thereof as may be demanded of him by any Overseer as aforesaid, provided he has such additional number in his possession, or in case of his not so having them, shall refuse or neglect to apply forthwith to the Clerk of the Peace for such additional number, and to deliver the same to the Party so demanding the same within *Three* Days after his receipt thereof, or shall wilfully refuse or neglect to deliver to the Clerk of the Peace, as hereinbefore directed, the Copies of the Lists of Claimants, and of the Persons objected to, the Copies of the parts of the Register, and the original Notices of Objection by him received from the Overseers of the several parishes or townships within his constablewick, immediately after he the said High Constable shall have so received the same, or shall wilfully refuse or neglect (immediately after he shall have received from such Clerk of the Peace any Notice

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Counties.

Notice of the times and places of the holding of the Courts for the revision of the Lists of Voters for the county, riding, parts or division of a county as aforesaid) to cause a Notice thereof to be fixed up in some public and conspicuous situation at every place within his constablewick appointed for the holding of any such Court, or to give notice to the Overseers of the Poor of every parish or township within his constablewick of the time and place of holding such Court for the revising the List of such parish or township, or shall wilfully refuse or neglect to attend at every such Court holden for revising the List of any parish or township within his constablewick, every such High Constable offending in any one of the cases aforesaid, shall for every such offence be liable to pay a sum of money by way of Fine, not exceeding *Five Pounds* nor less than *Twenty Shillings*, to be imposed by and at the discretion of the Barrister holding any Court for the revision of the List of any parish or township as aforesaid within the constablewick of such High Constable.

Counties, Cities and Boroughs.

42. Power to Barristers to fine Overseers for neglect of duty.

And be it Enacted, That if any Overseer of any parish or township within the meaning of this Act, shall wilfully refuse or neglect to make out any List, or to cause to be fixed up any Notice or List, or copy of the part of the Register of Voters relating to his parish or township, at the time and in the manner required by this Act, or shall wilfully refuse or neglect to deliver to the High Constable the Copies of the Lists of Claimants and of persons objected to, and the Copies of the part of the Register of the original notices of objection as required by this Act, or shall wilfully refuse or neglect to deliver to the returning officer of the City or Borough the Copies of the several Lists as required by this Act, or shall wilfully refuse or neglect to attend the Court for revising the List of Voters of his parish or township, or shall wilfully refuse or neglect to deliver to the Barrister or Barristers holding any such Court, the several Lists so to be made out by them as aforesaid, and the original Notices of Claim and of Objection as respectively required by this Act, every such Overseer offending in any of such cases as aforesaid, shall, for every such offence, be liable to pay by way of fine, a sum of money not exceeding *Five Pounds*, nor less than *Twenty Shillings*, to be imposed by and at the discretion of any Barrister holding any Court for the revision of any List of the parish or township of such Overseer.

43. Fines, to whom payable, and to what purpose to be applied.

And be it Enacted, That whenever any such Fine shall be imposed on any High Constable for any such Offence as aforesaid, or on any Overseer for any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any county, riding, parts or division of a county, such fine shall be paid to the use of the general rate of the county, riding, parts or division of a county in which the parish or township of such Overseer shall be situate; and wherever any such fine shall be imposed on any Overseer for any such offence as

aforesaid, where the same shall relate to the formation of the Register of Voters for any city or borough, such fine shall be paid to the use of the Poor's Rate of the parish or township of such Overseer; and it shall and may be lawful for any such Barrister so imposing any such fine as aforesaid, and he is hereby directed and empowered to order the Party offending to pay such fine to some Person to be by him the said Barrister authorized to receive the same, and to be applied by such Person for the use of the said county, riding, parts or division of a county, or for the use of the said parish or township, as the case may be, and such Barrister shall make his order or certificate in writing for hat purpose, according to the Form, Number in the Schedule to this Act annexed, or to the like effect.

44. Power to Barrister to give Costs in certain cases to Parties claiming or objecting.

And be it further Enacted, That in the revision of any List of Voters for any county, riding, parts or division of a county, if it shall appear to the Barrister holding the Court for that purpose that any Person objected to as hereinbefore mentioned had no reasonable and probable cause for making his claim to be inserted in such List, in every such case the said Barrister shall and he is hereby empowered to make and deliver to the Party objecting an order or certificate in writing for the payment to him, by the said Person so objected to as aforesaid, of any sum of money not exceeding the sum of *Ten Pounds* for costs; and that in the revision of any List of Voters for any county, riding, parts or division of a county, or for any city or borough, if any person objected to as hereinbefore mentioned shall appear before the Barrister holding the Court for that purpose, and shall defend his title to have been inserted in any such List, and it shall appear to such Barrister that he had no reasonable and probable cause for such defence, in every such case the said Barrister shall and he is hereby empowered to make and deliver to the party objecting an order or certificate in writing for the payment to him by the said Person so objected to as aforesaid of any sum of money not exceeding the sum of *Ten Pounds* for costs; and if any Person objecting as hereinbefore mentioned to any other Person as not having been entitled to have his Name inserted in such List, shall not appear, by himself or by some one in his behalf, in support of such objection before the Barrister holding his Court for that purpose, or if it shall appear to the said Barrister that the Person objecting had made such objection without any reasonable and probable cause, in all such cases the said Barrister shall and he is hereby empowered to make and deliver to the Person so objected to as aforesaid an order or certificate in writing for the payment to him, by the said Party objecting of any sum of money not exceeding the sum of *Ten Pounds* for costs: Provided always, That the said Barrister shall not in any case be empowered to order the payment to any party of any sum of money exceeding the costs actually incurred by him in support of his objection, or of his claim or title to vote, as the case may be.

And

45. Fines and Costs to be recovered by distress and sale of the Party's Goods.

And be it Enacted, That in case the Person ordered by any such order or certificate to pay any sum of money by way of Fine, or any sum of money as Costs as aforesaid, shall not forthwith pay the same according to such order or certificate, it shall and may be lawful for any Justice of the Peace of the county, riding, parts or division of a county, or for the city or borough, in the revising of any List, whereof the said Barrister shall have made such order or certificate, as the case may be, and every such Justice is hereby empowered and required, upon due proof to him made that a copy of the said Order or Certificate hath been served upon the Party thereby ordered to pay the sum of money therein mentioned, and that the said sum of money hath been duly demanded of him, and that he hath refused or neglected to pay the same, to cause the said sum of money to be levied by distress and sale of the goods and chattels of the said Party, together with the expenses of such levy, the overplus (if any) to be rendered by the Person making such levy to the owner of the goods and chattels on request; and the said Justice shall make his warrant for such levy under his hand and seal, according to the Form numbered in the Schedule to this Act annexed, or to the like effect, and no Certiorari or other writ or process for the removal of any such order or certificate or warrant, or any proceedings thereon, into any of His Majesty's Courts at Westminster, shall be allowed or granted: Provided always, That nothing herein contained as to any such Fine as aforesaid, shall in any way affect or abridge the right of action against any High Constable or Overseer, according to the form and effect of the said recited Act in that behalf.

46. Copies of the Registers to be printed for sale.

And be it Enacted, That the Clerks of the Peace shall cause to be printed Copies of the Registers of the Voters for their respective counties, ridings, parts or divisions of counties, and every such Clerk of the Peace shall deliver such respective Copies to all Persons applying for the same, on payment of a reasonable price for each Copy; and the Monies arising from the sale thereof shall be accounted for to the Treasurer of the respective county, riding, parts or division; and the Returning Officer of every city or borough shall cause to be printed Copies of the Register of the Voters for such city or borough, and shall deliver such Copies to all Persons applying for the same, on payment of a reasonable price for each Copy; and the Monies arising from the sale of all such Copies of the Registers of the Electors for every such city or borough shall be accounted for by every such Returning Officer to the Overseers of the several parishes and townships within the same, in proportion to the number of Persons placed on the Register of Voters for each parish or township, and shall be applied by the said Overseers to the same purposes as Monies collected for the relief of the Poor.

Counties.

47. Expenses of Clerks of the Peace and High Constables, &c. how to be defrayed.

And be it Enacted, That all Expenses incurred by the Clerk of the Peace on any county, riding, parts or division of a county in causing the Lists of the Voters for such county, riding, parts or division of a county to be copied out and made into a Register, and in causing Copies of such Register to be written or printed, and in otherwise carrying into effect the provisions of this Act; and that all Expenses incurred by the High Constables within such county, riding, parts or division of a county in carrying into effect the provisions of this Act, shall be defrayed by the Treasurer of such county, riding or parts, out of any public Money in his hands, and he shall be allowed all such payments in his Accounts: Provided always, That no Expenses incurred by any Clerk of the Peace or High Constable under this Act, shall be so defrayed, unless the Account thereof be laid before the Justices of the Peace at the next Quarter Sessions after such Expenses shall have been incurred, and the same be allowed by the Court.

Counties, Cities and Boroughs.

48. Expenses of Overseers, Returning Officers, &c. how to be defrayed.

And be it Enacted, That the Expenses incurred by the Overseers of any parish or township in making out, printing and publishing the several Notices and Lists directed by this Act to be done by them, and all other Expenses incurred by them in carrying into effect the provisions of this Act, shall be defrayed out of the Money collected or to be collected for the relief of the Poor in such parish or township; and that all Expenses incurred by the Returning Officer of any city or borough in causing the Forms of Precepts, Notices and Lists to be printed, and the Lists of the Voters for such city or borough to be copied and made into a Register, and in causing Copies of such Register to be written or printed, and all other Expenses incurred by him in carrying into effect the provisions of this Act, and that all Expenses incurred by any Town Clerk in carrying the provisions of this Act into effect, shall be defrayed by the Overseers of the Poor of the several parishes and townships within such city or borough or place sharing in the election therewith, out of the Money collected or to be collected for the use of the Poor in such parishes and townships, in proportion to the number of Persons placed on the Register of Voters for each parish or township; and provided always, That no Expenses by any Overseer of any parish or township under this Act or the said recited Act shall be so defrayed, unless the Account be laid before the Barrister at the Court held for revising the List of Voters for such parish or township, or some adjournment thereof, and be allowed by such Barrister.

49. Remuneration of Revising Barristers.

And be it Enacted, That every Barrister appointed to revise any Lists of Voters under this Act, shall be paid at the rate of *Five Guineas* for every day that he shall be so employed over and above his travelling and other expenses; and every such Barrister after the termination of his last sitting, shall lay or cause to be laid before the Lords Commissioners

Counties, Cities and Boroughs.

sioners of His Majesty's Treasury for the time being a statement of the number of days during which he shall have been so employed, and an account of the travelling and other expenses incurred by him in respect of such employment; and the said Lords Commissioners shall make an order for the amount to be paid to such Barrister.

Counties.

50. Provision as to the right of voting of Trustees and Mortgagees.

AND whereas it was by the said Act enacted, that no Person should be allowed to have a Vote in the Election of a Knight or Knights of the Shire for or by reason of any trust, estate or mortgage, unless such Trustee or Mortgagee were in actual possession or receipt of the rents and profits of the same estate; and whereas doubts have arisen as to the true intent and meaning of such last-mentioned enactment; BE it therefore Declared and Enacted, That no such Trustee or Mortgagee shall vote in any such election, unless he be in actual possession or receipt of the rents and profits of the same estate to his own use and benefit.

Cities and Boroughs.

51. As to occupancy of any Tenement jointly with other Tenements.

AND whereas in and by the said recited Act it was enacted, that in every city or borough which should return a Member or Members to serve in any future Parliament, every Male Person of full age, and not subject to any legal incapacity, who should occupy within such city or borough or within any place sharing in the election of such city or borough, as owner or tenant, any house, warehouse, counting-house, shop or other building, being either separately or jointly with any land within such city, borough or place occupied therewith by him as tenant under the same landlord, of the clear yearly value of not less than *Ten* Pounds, should, if duly registered according to the provisions hereinafter contained, be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such city or borough: And whereas it was also enacted and provided, in and by the said recited Act, that no such Person should be registered in any year unless he should have paid, on or before the *Twentieth* day of *July* in such year, all the Poor's Rates and Assessed Taxes which should have become payable from him in respect of such premises, previously to the *Sixth* day of *April* then next preceding: And whereas doubts have arisen as to the construction and meaning of certain parts of the said enactments; BE it therefore Declared and Enacted, That the occupation of any house, warehouse, counting-house, shop or other building, jointly with any other warehouse, counting-house, shop or other building, or with any number or combination of such premises, shall be deemed to be within the true intent and meaning of the said enactment.

52. Tenement occupied with Land must be of 5*l.* clear yearly value.

And be it also Enacted, That no Person who shall occupy within any city or borough, any building, not being a house, warehouse, counting-house or shop jointly with any land, shall be entitled to vote

in the Election of a Member or Members to serve in Parliament for any city or borough, in respect of the occupation of such premises, unless such building, when taken separately from such land, shall be of the clear yearly value of not less than *Five* Pounds.

53. As to Payment of Poor's Rate and Assessed Taxes.

And be it also Enacted, as to the payment of the Poor's Rates and Assessed Taxes, so required to be paid as aforesaid, That every Person so occupying such premises as in the said recited Act mentioned, may and shall be registered in any year if he shall have paid, on or before the *Twentieth* day of *July* in that year, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such premises during the *Twelve* calendar Months next before the *Sixth* day of *April* in that year.

54. How distances to be calculated.

AND whereas doubts have arisen as to the proper mode of computing the distance of Seven statute Miles in the said recited Act mentioned and therein prescribed, as to the residence of Voters for any city or borough; BE it therefore Enacted, That the said distance shall be computed by the nearest public way: Provided always, That in cases where there is now, or shall hereafter be, a Map of any city or borough and of the county or counties surrounding the same, to the extent of more than Seven statute Miles, published under the authority and direction of the Principal Officers of His Majesty's Ordnance, such distance may be measured and determined by the said Map.

55. Freeholders in New Shoreham, Cricklade, &c. need not be assessed to Land Tax.

AND whereas doubts have arisen whether, in order to entitle any Person to vote for the Borough of New Shoreham, or of Cricklade, Aylesbury or East Retford respectively, in respect of any freehold messuages, lands or tenements therein situate, it is necessary that the same should be assessed to the Land Tax; BE it therefore Declared and Enacted, That in order to entitle any Person to vote in any election of a Member to serve in any future Parliament in respect of any freehold messuages, lands or tenements situate within the Boroughs of New Shoreham, Cricklade, Aylesbury or East Retford respectively, it shall not be necessary that the same shall be assessed to the Land Tax, any statute to the contrary notwithstanding.

Counties, Cities and Boroughs.

56. Oaths of Allegiance, &c. not to be taken.

And be it further Enacted, That after the *passing of this Act* no Elector at any election shall be required to take the Oaths commonly called the Oaths of Allegiance, Supremacy or Abjuration, nor any Oath or Oaths required by any Act of Parliament to be taken in lieu thereof, any law or statute now in force to the contrary notwithstanding.

56. Clause as to putting Questions at the Poll repealed.

AND whereas it was enacted in and by the said recited Act, that certain Questions might be put to every Voter at the time of his tendering his vote in any Election: AND whereas doubts have arisen as to the

the true intent and meaning of one of the said Questions, and it is expedient that the same should be removed, and for that purpose that all the provisions touching and concerning the said Questions, and the administering and taking of any oath at the time of polling should be repealed, and other provisions be enacted in lieu thereof; BE it therefore Enacted, That the said Provisions shall be and the same are hereby Repealed.

58. No Inquiry at time of Election, except as to identity of the Voter, and whether he has voted before at same Election, and except as to his having the Qualification mentioned in the Register.

And be it Enacted, That in all Elections whatever of a Member or Members to serve in Parliament no inquiry shall be permitted at the time of polling as to the right of any Person to vote, except only as follows; (that is to say) that the Returning Officer or his respective Deputy shall, if required on behalf of any Candidate, put to any Voter at the time of his tendering his vote, and not afterwards, the following Questions, or any of them, and no other:

1. Are you the same Person whose name appears as A. B. on the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of , or for the City or Borough of [as the case may be.]

2. Have you already voted, either here or elsewhere, at this Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [as the case may be.]

3. Have you the Qualification which is annexed to your name in the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [as the case may be; the said Returning Officer or Deputy then and there specifying, as part of the said last-mentioned Question, in each case, the nature of the Qualification of the Voter, with the local and other description thereof, as stated and set forth in the Register.]

Oath to be taken if required.

And if any Person shall wilfully make a false answer to any of the Questions aforesaid, he shall be deemed guilty of a *Misdemeanor*, and shall and may be indicted and punished accordingly; and the Returning Officer or his Deputy, or a Commissioner or Commissioners to be for that purpose by law appointed, shall, if required on behalf of any Candidate at the time aforesaid, administer an Oath, or (in case of a Quaker, Moravian or Separatist) an Affirmation, to any Voter in the following form:

You do swear [or affirm, as the case may be] that you are the same Person whose name appears as A. B. on the Register

Counties, Cities and Boroughs.

of Voters now in force for the County of . . . . . or for the Riding, Parts or Division of the County of or for the City or Borough of [as the case may be], and that you have not before voted, either here or elsewhere, at the present Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [as the case may be.]

So help you GOD.

No other Oath to be taken.

And no Voter shall hereafter at any such Election be required to take any Oath or Affirmation except as aforesaid, either in proof of his freehold or of his residence, age or other qualification or right to vote, any law or statute, local or general, to the contrary notwithstanding; and no Person who, being upon such Register, shall claim to vote at any such Election, shall be excluded from voting thereat, except by reason of its appearing to the Returning Officer or his respective Deputy, upon putting such Questions as aforesaid, or any of them, that the Person so claiming to vote is not the same Person whose name appears on such Register as aforesaid, or that he has previously voted at the same Election, or that he has not then the qualification which is annexed to his name in such Register, or except by reason of such Person refusing to take the said Oath, or make the said Affirmation, or to take or make the Oath or Affirmation against Bribery; and no Scrutiny shall hereafter be allowed by or before any Returning Officer with regard to any Vote given or tendered at any such Election; any law, statute or usage to the contrary notwithstanding.

No Scrutiny to be allowed.

59.

AND whereas in and by the said recited Act it is provided, that upon petition to The House of Commons, complaining of an undue Election or Return of any Member or Members to serve in Parliament, any Petitioner or any Person defending such Election or Return shall be at liberty to impeach the correctness of the Register of Voters in force at the time of such Election, by proving that in consequence of the decision of the Barrister who shall have revised the Lists of Voters from which such Register shall have been formed, the Name of any Person who voted at such Election was improperly inserted or retained in such Register, or the name of any Person who tendered his vote at such Election improperly omitted from such Register, and the Select Committee appointed for the trial of such Petition shall alter the Poll taken at such Election according to the truth of the case, and shall report their determination thereupon to The House, and The House shall thereupon carry such determination into effect, and the Return shall be amended or the Election declared void, as the case may be, and the Register corrected accordingly, or such other order shall be made as to The House shall seem proper: AND whereas doubts have arisen as

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to the true intent and meaning of the said enactment with respect to the power and authority of any such Committee to inquire into the validity or invalidity of the Vote of any Person being on the Register of Voters in force at the time of such Election; BE it therefore Enacted, That it shall and may be lawful for any such Committee to inquire into and decide upon the right to vote of any Person who being upon the Register of Voters in force at the time of such Election, shall have voted in such Election, in case the name of such Person shall have been specially retained upon such Register, or inserted therein by and in consequence of the express decision of the Barrister or Barristers who shall have revised the Lists of Voters from which such Register shall have been formed; and also that it shall and may be lawful to such Committee to inquire into and decide upon the right to vote of any Person who, being upon such Register, shall have voted in such Election, so far as the same may be disputed on the ground of personal incapacity at the time of his voting, under and by virtue of any statute now or hereafter to be in force, or on the ground of any other personal incapacity at the time of his voting, which may have arisen subsequently to the *Thirty-first* day of *July* next preceding the formation of the Register of Voters in force at the time of such Election, or on the ground of his not having at the time of his voting the qualification annexed to his Name in the said Register; but that, except in such cases or on such grounds as aforesaid, the Register of Voters in force at the time of such Election, shall be final and conclusive, to all intents and purposes, as to the right to vote in such Election of every Person who shall be upon such Register.

Power to Committees on Election Petitions to decide as to right of voting.

Registration of Voters.

A

B I L L

FOR

The more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in *England* and *Wales*.

(*Prepared and brought in by*
Mr. Attorney General and Mr. Solicitor General.)

Ordered, by The House of Commons, *to be Printed,*
11 *February* 1836.

SCHEDULES TO THE BILL

FOR THE

Registration of Voters (England and Wales.)

Schedule I.

FORMS FOR COUNTIES.

No. 1.

WARRANT of the CLERK of the PEACE to the HIGH CONSTABLE.

County of } TO the High Constable [or, to one
to wit. } of the High Constables of the Hundred, or other like
district] of within the said County.

You are hereby required to do as follows:

First, Within Ten days after the receipt of this Warrant you are to make out your precepts (the printed Forms of which are herewith sent to you) to the Overseers of the Poor of the several Parishes and Townships within your Constablewick; and you are within those Ten days to deliver one of your said precepts to the Overseers of the Poor of every such Parish and Township, together with a sufficient number of the printed Forms (herewith also sent to you), of the Notices and Lists, and of the Copies of such parts of the Register of Voters as relates to the Parish or Township of those Overseers, for their use; and if you find that the number herewith sent to you is not sufficient for all the places within your Constablewick, you are to apply to me for more.

Secondly.—On the Twenty-ninth day of August next, you are to receive from the Overseers of every Parish and Township within your Constablewick a copy of the List of Claimants in such Parish or Township, a copy of the part of the Register relating to such Parish or Township, and a copy of the List of Persons objected to as Voters therein, together with the original Notice of Objection; and immediately after receiving the same, you are to deliver all such Copies of Lists, parts of the Register and Notices of Objection to the Clerk of the Peace.

Thirdly.—Immediately after receiving Notice from the Clerk of the Peace of the times and places of the holding of the Courts for revising the Lists of Voters, you are to cause notice thereof to be fixed up in some public and conspicuous situation at every place within your Constablewick appointed for the holding of any such Court; and you are also to give Notice to the Overseers of every Parish or Township within your Constablewick of the time and place of holding the Court for

revising the List of such Parish or Township, requiring them to attend the same.

Fourthly.—You are to attend the Courts to be held for revising the Lists of any Parish or Township within your Constablewick.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand, at in the said County, the day of

Clerk of the Peace for the said County, [Riding, &c.]

No. 2.

PRECEPT of the HIGH CONSTABLE to the OVERSEERS.

County of } TO the Overseers of the Poor of the Parish of
to wit. } [or, of the Township of].

By virtue of a Warrant from the Clerk of the Peace of the said County [Riding, &c.] unto me directed, you are hereby required to do as follows:

First.—On or before the Twentieth day of June next, you are to cause to be fixed on or near the outer doors of all the Churches and Chapels within your Parish [or, Township], or if there be no Church or Chapel therein, then to be fixed in some public or conspicuous situation within the same, a Notice (printed Forms of which are herewith sent), marked having first signed the same.

Secondly.—On or before the Thirty-first day of July next, you are to make out an alphabetical List of all persons who, on or before the Twentieth of July then last past, shall have delivered or transmitted to you their claims as Voters for the County [Riding, &c.], in which your Parish [or, Township] lies, in respect of any property situate wholly or in part within your Parish [or, Township]; and in making out such List, you are to write or cause to be written the christian name and surname of every such person at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the Property, and the name occupying, according as the same are stated in the claim in the proper columns of the printed Form or List herewith sent. If you have reasonable cause to believe that any person so claiming, or that any person who is upon the part of the Register for your Parish [or, Township] herewith also sent, is not entitled to have his Name on the new Register about to be made, you are to add the word "objected" opposite his name in the margin of the List, or in the margin of the part of the Register; and you are also to add the word "dead" opposite the name of any person in the margin of such part of the Register whom you shall have reasonable cause to believe to be dead. Having done thus, you are to sign the said List of Claimants,

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Claimants, and to cause a sufficient number of Copies of such List to be written or printed, and then you are to cause one of such Copies of the said List, and also one Copy of the part of the said Register to be fixed on or near the outer doors of every Church or Chapel within your Parish [or, Township], or if there be no Church or Chapel there, then to be fixed in some public or conspicuous place situate within the same, on the Two Sundays next after the Thirty-first day of July next.

Thirdly.—You are to keep a Copy of such List of Claimants, and a Copy of such part of the Register, to be perused by any Person without payment of any Fee, at all reasonable hours during the Two first weeks of August, after the List shall have been made; and you are also to cause to be written or printed, Copies of the said List of Claimants, to be delivered to any person applying for the same on payment of a reasonable price for such Copy.

Fourthly.—If you shall have added the word "objected" opposite the name of any Person in the List of Claimants, or in the part of the Register, you must on or before the Twenty-fifth day of August, give such person a notice in writing according to the Form numbered (herewith sent); and in such Notice must be stated the grounds of objection, and it must also be signed by you, or one of you. If the Place of Abode of the Person objected to, as described in the List or part of the Register be not within your Parish [or, Township], you may send the Notice by the post on or before the Twenty-fifth day of August, directed to him at the Place of Abode stated in the List or part of the Register, but it must be sent free of postage, or the postage thereof must be paid.

Fifthly.—Immediately after the Twenty-fifth day of August next, you are to make out a List according to the Form numbered (herewith sent), containing the name of every Person against whom a Notice of Objection shall have been given to you, or any one of you, on or before that day; and you are to cause copies of such List to be fixed (in the same Places as the other List) on the Two Sundays next preceding the Fifteenth day of September next; and you are to keep Copies of such List of Persons objected to, to be perused by any person without payment of any fee, at all reasonable hours during the Ten days next preceding the Fifteenth day of September next; and you are to deliver a Copy of such List to any person requiring the same, on payment of One Shilling and Sixpence for each Copy.

Sixthly.—On the Twenty-ninth day of August next you are to deliver to the High Constable of the Hundred [or, like District] wherein your Parish [or, Township] is situate, a Copy of the List of Claimants, a Copy of the part of the Register, and also a Copy of the List of Persons objected to, together with the original Notices of Objection.

Seventhly.—You are to attend the Court to be held for revising the Lists relating to your Parish [or, Township]; and you are to deliver to

the Barrister or Barristers holding such Court, the original Notices of Claim, and the List of Claimants, and the List of Persons objected to, so made out by you as aforesaid.

If you omit any of these matters, you will be subject to certain Penalties. Given under my hand this day of

High Constable.

No. 3.

NOTICE to be given by the OVERSEERS.

WE hereby give Notice, That all persons entitled to vote in the election of a Knight or Knights of the Shire for the County [or, for the Riding, &c.] of in respect of any property situate wholly or in part within this Parish [or, Township] who are not upon the Register of Voters now in force, or who being upon the Register shall not retain the same qualification, or continue in the same place of abode as described in such Register, are hereby required to deliver or transmit to us, or any one of us, a Notice in writing by them signed of their claim as such Voters according to the Form hereunder set forth. Any person who is upon the present Register may also make his claim, if he thinks fit; but it is not necessary that he should do so if he has the same qualification and place of abode as now described in the Register. Dated this day of

(signed) A. B. } Overseers of the Parish
C. D. } [or, Township] of
E. F. }

No. 4.

FORM of NOTICE of CLAIM to be given to the OVERSEERS.

TO the Overseers of the Parish of [or, Township of]

I HEREBY give you Notice, That I claim to be inserted in the List of Voters for the County of [or, for the Riding, Parts, or Division of the County of as the case may be], and that the particulars of my place of abode and qualification are below. Dated the day of in the year

(signed) John Adams.

Place of abode, Cheapside, London.

Nature of qualification, freehold house, [or, warehouse, stable, land, field, annuity, rent-charge, &c. as the case may be, giving such a description of the property as may serve to identify it.]

Where situate in this Parish [or, Township], King Street. [If the property be not situate in any street, lane, or other like place, then say, "Name of the property, Highfield Farm," or, "Name of the occupying tenant, John Edwards."]

No. 5.

County of to wit, [or, Riding, Parts, or Division of the County of as the case may be.] THE LIST of PERSONS entitled to vote in the Election of a Knight [or, Knights] of the Shire for the County of [or, for the Riding, Parts, or Division of the County of as the case may be], in respect of Property situate within the Parish of [or, Township, as the case may be.]

Christian Name and Surname of each Voter, at full Length.	PLACE of ABODE.	NATURE of QUALIFICATION.	Street, Lane, or other like Place in this Parish [or, Township] where the Property is situate, or Name of the Property, or Name of the Tenant.

(signed) A. B. C. D. E. F. } Overseers of the said Parish [or, Township.]

No. 6.

NOTICE of OBJECTION, to be given to the OVERSEERS.

TO the Overseers of the Parish of [or, Township, as the case may be.]

I HEREBY give you Notice, That I object to the name of William Ball being retained in the List of Voters for the County of [or, for the Riding, Parts or Division of the County of] Dated the day of in the year

(signed) A. B. of [Place of abode.]

No. 7.

FORM of NOTICE of OBJECTION, to be given to Parties.

To Mr. William Ball, Market-street, Lancaster.

I HEREBY give you Notice, That I object to your Name being retained in the List of Voters for the County of [or, for the Riding, Part, or Division of the County of], on the following ground: [here must be stated shortly the ground of objection, as that the Party objected to has no Freehold, or that he has not had the Property for a sufficient time, or that it is not of sufficient value, or that he is personally disqualified as being a minor or officer of revenue, &c.]

Dated this day of One thousand eight hundred and

(signed) A. B. [Place of abode.]

No. 8.

NOTICE of OBJECTION to be given by the OVERSEERS to Parties to whom they have objected in the margin of the List, or part of the Register.

To Mr. William Ball, Market-street, Lancaster.

TAKE Notice, That the Overseers of the Parish of [or, Township of] have objected to your Name being retained in the List of Voters for the County of [or, for the Riding, &c.] on the following ground: [here must be stated shortly the ground of objection.]

Dated this day of One thousand eight hundred and

(signed) A. B.
One of the Overseers of

No. 9.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to, as not being entitled to have their Names retained in the List of Voters for the County of [or, for the Riding, Parts or Division of the County of]

Christian Name and Surname of each Person objected to.	PLACE of ABODE.	Nature of the supposed Qualification.	Street, Lane, or other like Place in this Parish [or, Township] where the Property is situate, or Name of the Property, or Name of the Tenant.

(signed) A. B. } Overseers of the Parish of
C. D. } [or, Township, as
E. F. } the case may be.]

Schedule

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Schedule II.

FORMS FOR CITIES AND BOROUGHS.

No. 1.

PRECEPT of the RETURNING OFFICER to the OVERSEERS.

City [or, Borough] of in the County of [or, Riding, &c.] (To wit.)

TO the Overseers of the Poor of the Parish of [or, to the Overseer of the Poor of the Township of]

You are hereby required to do as follows:—First, On or before the Twentieth day of June next you are to cause to be fixed on or near the outer door of all Churches and Chapels within your Parish or Township, or if there be no Church or Chapel therein, then to be fixed in some public and conspicuous situation within the same respectively, a notice (printed Forms of which are herewith sent) marked No. 2.

Secondly.—On the Thirty-first day of July next, or within Three days then next following, you are to make out, or cause to be made out, an alphabetical List of all Persons who may be entitled to vote in the Election of a Member or Members to serve in any future Parliament for this City [or, Borough] in respect of the occupation of premises of the clear yearly value of Ten Pounds, situate wholly or in part within your Parish or Township; and another alphabetical List of all other Persons (except Freemen) who may be entitled to vote in the Election for this City [or, Borough] by virtue of any other right whatsoever; and in making out each of the said Lists you must write, or cause to be written, the christian name and surname of every such Person at full length, together with the nature of his qualification; and when any Person shall be entitled to vote in respect of any property, you must state the name of the street, lane or other description of the place where such property may be situate; and when any Person shall be entitled to vote otherwise than in respect of any property, then you must state the name of the street, lane or other description of the place of abode of such Person; and after you have made out such Lists, you must sign them, and cause a sufficient number of copies thereof to be written or printed, and then you are to cause one copy of each List to be fixed on or near the outer doors of all the Churches and Chapels in your Parish or Township, or if there is no Church or Chapel therein, then you must cause them to be fixed in some public and conspicuous situation within the same, on the Two Sundays next after such Lists shall be made out.

Thirdly.—You are to keep copies of such Lists to be perused by any person, without payment of any fee, at all reasonable hours, during the first two weeks after such Lists shall have been made; and you are to deliver copies thereof to any person applying for the same, on payment of a reasonable price for each copy.

Fourthly.—Immediately after the Twenty-fifth day of August next you are to make out two Lists; one, a List according to the Form numbered , containing the name of every person who shall have given or have caused to be given to you, or any one of you, on or before that day, his claim to have his Name inserted in the List of your Parish [or, Township]; and also another List, according to the Form numbered , containing the Name of every Person against whom a notice of objection shall have been given to you, or any one of you, on or before that day, as not being entitled to have his Name inserted in any List for your City [or, Borough]; and you are to cause one copy of each of such Lists to be fixed (in the same places as the other List), on the Two Sundays next preceding the Fifteenth day of September next.

Fifthly.—You are to keep Copies of these Lists, and you are to allow the same, and also the Notices of Objection, to be perused by any Person, without payment of any fee, at all reasonable hours, during Ten Days next preceding the Fifteenth September next; and you are to deliver a copy of each of such Lists to any Person requiring the same, on the payment of One Shilling for each Copy.

Sixthly.—On the Twenty-ninth of August next you are to deliver to the Returning Officer of your City or Borough, a Copy of the List of Voters, a Copy of the List of Persons who shall have claimed, and a Copy of the List of Persons objected to, so respectively made out by you as aforesaid.

Seventhly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [or, Borough], and at the opening of such Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists made out by you, and also the original Notices of Claim and of Objection.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand this day of
One thousand eight hundred

(signed) A. B.
Returning Officer for the said Borough.

No. 2.

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No. 2.

City [or, Borough] of in the County of (To wit.)

WE hereby give Notice, That no Person will be entitled to have his Name inserted in any List of Voters for this City [or, Borough], now about to be made in respect of the occupation of Premises of the clear yearly value of Ten Pounds, whether situate wholly or in part within this Parish [or, Township], unless he shall pay, on or before the Twentieth day of July next, all the Poors' Rates and Assessed Taxes which have become due from him in respect of such Premises, during the Twelve calendar months next before the Sixth April last; and all Persons who omit to make such payment will be incapable of being upon the next Register of Voters for this City or Borough. Dated this day of One thousand eight hundred

(signed) A. B. C. D. E. F. Overseers of the Parish [or, Township] of

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No. 3.

THE LIST of Persons entitled to vote in the Election of a Member [or, Members] for the City [or, Borough] of in respect of Property occupied within the Parish [or, Township] of by virtue of an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in England and Wales."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish, where the Property is situate.

(signed) A. B. C. D. E. F. Overseers of the said Parish [or, Township] of

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No. 4.

THE LIST of all PERSONS (not being Freemen), entitled to vote in the Election of a Member [or, Members] for the City [or, Borough] of in respect of any rights other than those conferred by an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in England and Wales."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish where the Property is situate. [If the Right of Voting does not depend on Property, then state the Place of Abode.]

(signed) A. B.
C. D.
E. F.
} Overseers of the Parish of [or, Township] within the said City [or, Borough] of

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No. 5.

NOTICE of CLAIM.

TO the Overseers of the Parish [or, Township] of

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled to vote in the Election of a Member [or, Members] for the City [or, Borough] of and that my Qualification consists of a House in Duke-street in your Parish [or otherwise, as the case may be.] Dated the day of One thousand eight hundred and Thirty-

(signed) John Allen, of [Place of Abode.]

No. 6.

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No. 6.

LIST of CLAIMANTS, to be published by the OVERSEERS.

THE following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [or, Members] for the City [or, Borough] of

Christian Name and Surname of each Claimant at full length.	Nature of Qualification.	Street, Lane, or other Place in this Parish, where the Property is situate. [If the Right does not depend on Property, state the Place of Abode.]

(signed) A. B.
C. D.
E. F. } Overseers of, &c.

No. 7.

PRECEPT of RETURNING OFFICER to the TOWN CLERK.

City [or, Borough] of
in the County of
(To wit.) } TO the Town Clerk of the City [or, Borough] of in the County of

YOU are hereby required to do as follows:—First, On or before the Twentieth day of June next you are to cause to be fixed, on or near the outer door of the Town-hall, or if there be no Town-hall, then to be fixed in some public and conspicuous place within your City or Borough, a Notice according to the Form numbered 2. in the Schedule annexed to an Act of Parliament, intituled, "An Act for the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament for England and Wales."

Secondly.—On or before the Thirty-first day of July next, you are to make out, or cause to be made out, an alphabetical List, containing the names of all Persons who shall be upon the Register for your City or Borough as Freemen; and also the names of all Persons who shall have claimed to be inserted in the List as such Freemen according to the said Notice: and in making out such List, the christian name and surname of every Person is to be written at full length, together with the place of his Abode, as set forth in the Register or Claim respectively; and if you have reasonable cause to believe that any person

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who is upon the Register, or any person so claiming, is not entitled to have his name upon the Register as a Freeman, you are to add the word "objected" opposite the name of every such person on the margin of the List; and you are also to add the word "dead" opposite to the name of every person, in the margin of such List, whom you have reasonable cause to believe to be dead; and you are to sign such List.

Thirdly.—You are to cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within your city or borough, on the Two Sundays next after such List shall have been made; and you are to keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the Two first Weeks after such List shall have been made; and you are to cause to be written or printed copies thereof, and to deliver a copy to all persons applying for the same, on payment of a reasonable price for each copy.

Fourthly.—Immediately after the Twenty-fifth day of August next, you are to make out a List, according to the Form numbered 12 in the said Schedule II., including the name of every person against whom a notice of objection shall have been given to you on or before that day, and you are to cause a Copy of such List to be fixed in the same place as the other List on the Two Sundays next preceding the Fifteenth day of September next, and you are to keep Copies of such List, and are to allow the same, and also the notices of objection, to be perused by any Person without payment of any fee, at all reasonable hours during the Ten days next preceding the said Fifteenth day of September, and you are to deliver copies of such List, to any person requiring the same, on payment of One Shilling for each copy.

Fifthly.—On the Twenty-ninth day of August next you are to deliver to the Returning Officer of your City [or, Borough] a Copy of the List of Persons entitled to vote as Freemen, and a Copy of the List of Persons objected to as Freemen so respectively made out by you as aforesaid.

Sixthly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [or, Borough]; and at the opening of the said Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists so made out by you as aforesaid, and also the original Notices of Claim and of objection.

Given under my hand the . . . . . day of
One thousand eight hundred and

A. B. Returning Officer.

No. 8.

No. 8.

City [or, Borough] of
in the County of
(To wit.)

NOTICE is hereby given, That all persons entitled to vote as Freemen in the Election of a Member or Members to serve in Parliament for this City [or, Borough], who are not upon the Register of Voters now in force, or who being upon such Register do not continue in the same place of abode as described in such Register, are to deliver or transmit to the Town Clerk of the said City [or, Borough] a Notice in writing by them signed, of their claim as such Freemen, according to the Form hereunder set forth. Dated this day of

A. B., Town Clerk of

No. 9.

To the TOWN CLERK of the City [or, Borough] of

I HEREBY give you Notice, That I claim to have my name inserted in the List made by you of Persons entitled as Freemen to vote in the Election of a Member [or, Members] to serve in Parliament for the City [or, Borough] of and that my qualification is as Freeman of and that I reside in street in this City [or, Borough.] Dated this day of One thousand eight hundred and

(signed) John Allen.

No. 10

NOTICE of OBJECTION.

To the Overseers of the Parish [or, Township] of
[or, To the Town Clerk of the City, or, Borough of
or otherwise, as the case may be.]

I HEREBY give you Notice, That I object to the Name of Thomas Bates being retained in the List of Persons entitled to vote in the Election of a Member [or, Members] for the City [or, Borough] of on the following ground [here must be stated strictly the ground of objection, as that the Party has not been rated long enough, or is not an Occupier of sufficient value, or that he is personally disqualified, &c.] Dated this day of

(signed) A. B. of [Place of Abode.]

No. 11.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Persons qualified to vote in the Election of a Member [or, Members] for the City [or, Borough] of

Christian Name and Surname of each Person objected to.	Nature of the supposed Qualification.	Street, Lane or other Place in the Parish where the Property is situate. [If the Right does not depend on Property, state the Place of Abode.]

(signed) A. B.
C. D.
E. F.
} Overseers of, &c.

No. 12.

THE LIST of PERSONS objected to, to be published by the TOWN CLERKS.

THE following Persons have been objected to as having no right to be retained on the List of the Freemen of the City [or, Borough] of [or, of being a Place sharing in the Election with the City [or, Borough] of entitled to vote in the Election of a Member [or, Members] for the said City [or Borough.]

Christian and Surname of each Person objected to.	Place of his Abode.

(signed) A. B. { Town Clerk of the said City [or, Borough, or, Place.]

Schedule

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Schedule III.

A LIST of such of the FREEMEN of LONDON as are Liverymen of the Company of entitled to vote in the Election of Members for the City of London.

Christian Name and Surname of the Voter at full length.	Street, Lane, or other description of his Place of Abode.

(signed) A. B. Clerk.

No. 1.

NOTICE of CLAIM to be given to the RETURNING OFFICER or OFFICERS of the City of LONDON, and to the CLERKS of the respective Livery Companies.

To the Returning Officer or Officers of the City of London [or, To the Clerk of the Company of]

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by the Clerk of the Company of [or, in case of Notice to the Clerk; say, made by you] of the Liverymen of the said Company [or, in case of Notice to the Clerk, say, of the Liverymen of the Company of] entitled to vote in the Election of Members for the City of London. Dated the day of

(signed) A. B. {[Place of Abode. / Name of Company.]

No. 2.

LIST of CLAIMANTS, to be published by the RETURNING OFFICER or OFFICERS of the City of LONDON.

The following Persons claim to have their Names inserted in the List of Persons entitled to vote as Freemen of the City of London, and Liverymen of the several Companies herein specified, in the Election of Members for the City of London.

Christian Name and Surname of Claimants at full length.	Place of Abode.

No. 3.

NOTICE of OBJECTION to PARTIES inserted in the LIST of the LIVERY.

To Mr. William Baker.

I HEREBY give you Notice, That I object to your Name being retained in the List of Persons entitled to vote as Freemen of the City of London and Liverymen of the Company of in the Election of Members for the said City, and that I shall bring forward such objection at the time of revising the said List. Dated the day of

(signed) A. B. [Place of Abode.]

Registration of Voters.

SCHEDULES

TO THE

BILL for the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in England and Wales.

(Prepared and brought in by Mr. Attorney General and Mr. Solicitor General.)

Ordered, by The House of Commons, *to be Printed,* 11 *February* 1836.

A

B I L L

[AS AMENDED BY THE COMMITTEE]

For the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in *England* and *Wales*.

[N. B.—*The Clauses marked* (A.) *to* (E.) *and the Fourth Schedule, were added by the Committee.*]

WHEREAS an Act was passed in the second year of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People in *England* and *Wales*:" Preamble: 2 Will. 4, c. 45.

And whereas the said Act contains divers provisions for the formation of Registers of Voters for Counties, Ridings, Parts and Divisions of Counties, and also for the formation of Registers of Voters for Cities and Boroughs:

And whereas it is expedient and necessary that some of the said provisions should be amended, and that further provisions should be made for the more effectual Registration of Persons entitled to vote in the Election of Members to serve in Parliament for *England* and *Wales*; and it is expedient for the better understanding of the Law touching such Registration that all provisions for the formation of such Registers should be consolidated into this Act;

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT all provisions in the said recited Act contained, touching and concerning the formation of the Register of Voters for any County, Riding, Parts or Division of a County, or for any City or Borough in *England* and *Wales*, and touching and concerning the defraying of the Expenses to be incurred in carrying such provisions

1. Certain Provisions of 2 Will. 4. c. 45, repealed.

provisions into effect, shall be and the same are hereby Repealed, except as to any such Register heretofore made, and except as to any matter or thing touching and concerning the same.

2. This Act to be deemed part of the recited Act.

And be it Enacted, That this Act, when passed, shall be deemed and taken to be part of the said recited Act, as fully and effectually as if the same were incorporated therewith.

3. *Counties.* Clerk of the Peace to have Forms of Warrants, &c. printed. Clerk of the Peace to issue his Warrant to High Constables, with Forms of Precepts, &c.

And be it Enacted, That the Clerk of the Peace for every county, riding, parts or division of a county, shall cause a number of Forms of Warrants, Precepts, Notices and Lists to be printed, according to the respective Forms numbered (1. 2. 3. 4. 5.) in the Schedule (I.) to this Act annexed, at the expense of the respective county, riding, parts or division; and shall also, within the First Seven days of June in every year make and cause to be delivered his Warrant, according to the Form numbered (1.) in the Schedule (I.) to this Act annexed, to the High Constable of every Hundred or other like district within such county, riding, parts or division; and shall also cause to be delivered to the said High Constable with every such Warrant, for the use of the said High Constable, and for the use of the Overseers of every parish and township within his Constablewick as hereinafter provided, a sufficient number of the said printed Forms of Precepts, Notices and Lists; and also a sufficient number of Copies of such parts of the Register of Voters for such county, riding, parts or division then in force as shall relate to every parish or township within his said Constablewick.

4. High Constables to issue Precepts with Forms of Notices, &c. to Overseers.

And be it further Enacted, That within Ten Days after the receipt of such Warrant of the said Clerk of the Peace, every such High Constable shall make and cause to be delivered to the Overseers of the Poor of every parish and township within his Constablewick, his Precept, according to the Form numbered (2.) in the Schedule (I.) to this Act annexed, together with a sufficient number of the said printed Forms of Notices and Lists, and of the copies of such part of the said Register as shall relate to the respective parish or township.

5. Overseers to give Notice annually, requiring Voters to send in their Claims.

And be it further Enacted, That the Overseers of the Poor of every parish and township shall, on the Twentieth day of June in every year, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same respectively, a Notice in writing, according to the Form numbered (3.) in the Schedule (I.) to this Act annexed, having first signed the same, requiring all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in Parliament, in respect of any property situate wholly or in part within such parish or township, who shall not be upon the Register of Voters then in force; and

and also requiring all Persons so entitled as aforesaid, who being upon such Register, shall not retain the same qualification or continue in the same place of abode as described in such Register, to deliver or transmit to the said Overseers, on or before the Twentieth day of July then next ensuing, a Notice in writing by them signed of their Claim as such Voters, according to the Form numbered (4.) in the Schedule to this Act annexed, or to the like effect: Provided always, That it shall and may be lawful for any other Person so entitled to make his Claim as aforesaid, if he shall so think fit, although he shall be upon such Register.

6. Overseers to prepare Lists of Claimants.

And be it further Enacted, That the Overseers of the Poor of every parish and township, shall, on or before the last day of July in every year, make out or cause to be made out, according to the Form numbered (5.) in the Schedule (I.) to this Act annexed, an Alphabetical List of all Persons who on or before the Twentieth day of July then next preceding shall have claimed as aforesaid to be inserted in such List as Voters for the county or for the riding, parts or division of the county wherein such parish or township lies, in respect of any property situate wholly or in part within that parish or township; and in every List so to be made as aforesaid, the Christian Name and Surname of every Claimant shall be written at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the property, or the Name of the occupying Tenant thereof, as the same are respectively stated in his claim to vote; and the said Overseers, if they shall have reasonable cause to believe that any Person so claiming as aforesaid, or any Person who is upon that part of the Register of Voters then in force which relates to their parish or township, is not entitled to have his name upon the Register then next to be made for the county or for the riding, parts or division of the county in which their parish or township is situate, shall add the word "Objected" opposite the name of every such Person on the margin of such List, or on the margin of such part of the said Register; and the said Overseers shall also add the word "Dead" opposite the name of any Person in such part of the said Register, whom they shall have reasonable cause to believe to be dead; and the said List of Claimants being so made as aforesaid, they the said Overseers shall sign the same, and shall cause a sufficient number of copies of such List to be written or printed; and shall cause to be fixed one copy of such List, and also one copy of such part of the said Register, on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same respectively, on the Two Sundays next after such Lists shall have been made; and the said Overseers shall likewise keep a copy of such List, and a copy of such part of the said Register, and also the original notices of claim, to be perused by any person without payment of any fee, at all reasonable hours, during the first fifteen days of August after such List shall have been made, and shall

Overseers to have power of objecting to any Name either on such Lists or on the part of the Register of Voters for the time being relating to their Parish.

To have power to add the word "Dead" against any Name in such Lists or part of Register.

Overseers to fix Copies of such Lists and of the part of the Register of Voters relating to their own Parish on Churches and Chapels;

To keep Copies of Lists for Inspection and Sale.

cause to be written or printed copies of the said Lists of Claimants, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each copy, such price not exceeding Three-halfpence for every ninety words.

7. Provision as to Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, which shall have no Overseers of the Poor, shall, for the purpose of making such Claims, and making out such List as aforesaid, be deemed to be within the parish or township adjoining thereto, such parish or township being situate within the same county, or the same riding, parts or division of a county, as such precinct or place; and if such parish or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being; and the Overseers of the Poor of every such parish or township shall insert in the List for their respective parish or township, the Names of all Persons who shall claim as aforesaid to be inserted therein as Voters in the election of a Knight or Knights of the Shire for the county, or for the riding, parts or division of the county in which such precinct or place as aforesaid lies, in respect of any lands or tenements situate wholly or in part within such precinct or place.

8. The List of Claimants in any Parish, and the part of the Register relating to that Parish, to be deemed the List of Voters of such Parish.

And be it Enacted, That the List of Claimants (if any) so to be made out by the Overseers of every parish or township as aforesaid, and the part of the Register for the time being relating to that parish or township shall be deemed to be the List of Voters of such parish or township for the county, riding, parts or division of a county within which such parish or township may be situate; and every Person whose name is upon the part of the said Register relating to such parish or township shall be deemed to have had his name inserted in the List of Voters of such parish or township by the said Overseers thereof.

9. Any Person on the Register for the time being may object to any other Person named in the List of Voters as not entitled to be upon the List. Notice of Objection to be given to the Overseers.

And be it further Enacted, That every Person who shall be upon the Register for the time being for any county, or for any riding, parts or division of a county, may object to any Person whose name shall appear either upon any such List of Claimants so to be made as aforesaid, for such county, riding, part or division of a county, or upon any part of the said Register, as not having been entitled, on the last day of July then next preceding, to have his name inserted in the List of Voters for the parish or township to which such List or such part of the Register as shall contain his name may relate; and every Person so objecting, save and except Overseers objecting, in the manner hereinbefore mentioned, shall, on or before the Twenty-fifth day of August in every year, give or cause to be given to the Overseers of the Poor of the parish or township to which the List or the part of the Register containing the name of the Person so objected to may relate, a Notice in writing, according to the Form numbered

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bered (6.) in the Schedule (I.) to this Act annexed or to the like effect; and the Person so objecting, and the said Overseers, or one of them, in case of their objecting as aforesaid, shall, on or before the Twenty-fifth day of August in every year, give to the Person so objected to, a Notice in writing, according to the Forms numbered (7.) and (8.) respectively in the Schedule (I.) to this Act annexed, or to the like effect, either by delivering the same to him or by leaving the same, or by causing the same to be left or delivered at his place of abode as described in such List or part of the said Register, or by delivering the same, or by causing the same to be delivered to the occupying Tenant of the qualifying premises described in such List or part of the said Register: Provided always, That every such Notice of objection shall be signed by the party so objecting as aforesaid, and the ground or grounds of objection shall be stated therein; and that wherever the place of abode of the Person objected to as described in the List or part of the said Register, shall not be in the parish or township to which such List or part of the said Register may relate, it shall be sufficient, if the Notice so required to be given to him as aforesaid shall, on or before the said Twenty-fifth day of August, be sent by the Post, free of postage, or the sum chargeable as postage for the same being first paid, directed to him at his place of abode, as described in such List or part of the said Register.

Notice of Objection in all cases to be given to the Party.

Grounds of Objection to be stated in the Notice.

Notice in certain cases may be sent by the Post.

10. And be it Enacted, That the said Overseers shall include the names of all Persons so objected to in a List according to the Form numbered (9.) in the said Schedule (I.) to this Act annexed, and shall cause copies of such List to be fixed on or near the outer doors of all Churches and Chapels within their parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the Two Sundays next preceding the Fifteenth day of September in every year; and the said Overseers shall also keep a copy of such List to be perused by any Person without payment of any fee, at all reasonable hours during the Ten Days next preceding the said Fifteenth day of September in every year; and shall deliver a copy of such List to any Person requiring the same on payment of One Shilling for each copy.

Lists of Persons objected to, to be published.

11. And be it Enacted, That on the Twenty-ninth day of August in every year, the Overseers of every parish or township shall deliver to the High Constable of the hundred or other like district wherein the said parish or township is situate, a copy of the List of Claimants so made out as aforesaid; and a copy of the part of the said Register relating to their parish or township, and also a copy of the List of Persons objected to so made out as aforesaid, and the original notices of objection and the original notices of claim so given to them as aforesaid; and such High Constable shall forthwith deliver all such copies of Lists and of the parts of the Register, and all such original Notices of objection and of claim, to the Clerk of the Peace of the county or of the riding, parts or division of

Lists, &c. to be delivered to High Constables to be forwarded to the Clerk of the Peace.

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county respectively, and such Clerk of the Peace shall thereupon make out a List of the Number of Persons objected to by the Overseers and by other Persons in each parish and township, and an Abstract of the grounds of objection stated in the respective Notices.

12. Lord Chief Justice and Judges of Assize to appoint Barristers for revising the Lists of Voters.

And be it further Enacted, That the Lord Chief Justice of the Court of King's Bench for the time being, shall in the Month of July or August in every year nominate and appoint for Middlesex, and the Senior Judge for the time being in the Commission of Assize for every other county shall during the Summer Circuit in every year nominate and appoint a Barrister or Barristers, each such Barrister being of not less than Five Years' standing, to revise the List of Voters for the election of a Knight or Knights of the Shire for every such county, or for the riding, parts or divisions of such county; and such Barrister or Barristers so nominated and appointed as aforesaid shall immediately on such appointment notify the same to the Clerk of the Peace for the said county, riding, parts or division, who shall thereupon transmit the said copies of Lists and of parts of the said Register, and also the said Abstract so made out by him as aforesaid, to the said Barrister or Barristers, in order that proper times and places may be fixed for the holding of the Courts for the revision of the said Lists as hereinafter provided.

13. Barristers to hold Courts for revising Lists of Voters within a certain period;

to give notice of the times and places of holding such Courts to Clerk of the Peace.

Clerk of the Peace to give notice thereof by Advertisement, and to the High Constables.

High Constables to give public notice and notice to the Overseers.

And be it further Enacted, That such Barrister or Barristers shall make a circuit of the county, riding, parts or division for which he or they shall be so appointed as aforesaid, and shall hold open Courts therein for such revision as aforesaid at convenient times and places, such times being between the Fifteenth day of September inclusive and the First day of November inclusive in every year; and such Barrister or Barristers shall, Ten days at the least before the holding of the first Court of Revision as aforesaid, give Notice to the Clerk of the Peace of the several times and places at which the said Courts shall be holden; and the said Clerk of the Peace shall cause public notice thereof to be given by advertisement in some of the Newspapers circulating within the said county, riding, parts or division, and shall also cause notice thereof to be given to the High Constable of every hundred or other like district within the same respectively; and the said High Constable shall cause a Notice thereof to be fixed up in some public and conspicuous situation at every place within his said Constablewick appointed for the holding of any such Court, and shall give Notice to the Overseers of every parish and township within his Constablewick of the time and place of holding the Court for revising the List of such parish and township, requiring them to attend the same.

14. Clerk of the Peace to attend the first

And be it Enacted, That the Clerk of the Peace at the opening of the first Court of Revision to be so holden as aforesaid, shall deliver

or

or cause to be delivered to the said Barrister or Barristers the several Notices of objection and of claim which shall have been delivered to such Clerk of the Peace by the respective High Constables as aforesaid, and the High Constable of every hundred or other like district shall attend the Court or Courts to be held for revising the List relating to any parish or township within his Constablewick, and the Overseers of every parish and township shall attend the Court to be held for revising the Lists relating to their parish or township, and shall deliver to the Barrister or Barristers holding such Court the List of Claimants, and the List of Persons objected to, so made out by them respectively as aforesaid, and the said High Constables and Overseers shall answer upon oath all such questions as such Barrister or Barristers may put to them or any one of them touching any matter necessary for such revision as aforesaid.

Court, and High Constables and Overseers to attend the Courts for their respective Districts and Parishes.

15.
Barristers may hold separate Courts.

And be it Enacted, That where Two or more Barristers shall be appointed for the same county, riding, parts or division of a county, they shall attend at the same places together, but may sit apart and hold separate Courts at the same time for the despatch of business.

16.
Powers of Barrister as to expunging Names from Lists.

And be it Enacted, That every such Barrister shall expunge from the List of Voters of any Parish or Township the Name of every Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such Person was entitled, on the last day of July then next preceding, to be inserted in such List in respect of his qualification as stated in such List; or in case it shall be proved that such Person was then incapacitated by law or by any statute from voting in the election of Members to serve in Parliament; and shall also expunge as aforesaid the Name of every Person whose qualification as stated in the said List shall appear upon the face thereof to be necessarily insufficient to entitle the said Person to be inserted in such List, and also the Name of every Person who shall be proved to him to be dead; and the said Barrister shall correct any mistake which shall be proved to him to have been made in the said List as to any of the particulars required by this Act to be inserted therein; and wherever the Christian Name of any Person, or his place of abode, or the nature of his qualification, or the local or other description of his property, or the Name of the occupying Tenant thereof, as the same are respectively required by this Act to be inserted in such List, be wholly omitted from the said List, such Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted shall be supplied to the satisfaction of such Barrister before he shall have completed the revision thereof, in which case he shall then and there insert the same accordingly: Provided always, That no Person's Name shall be expunged as aforesaid except in case of the statement of an insufficient qualification, or of his death, or of any such omission as hereinbefore mentioned, unless the Overseers or other Party who shall have objected to such Person shall appear before the said Barrister, by themselves or himself,

Power to rectify mistakes and supply omissions.

Mode of proceeding in cases of objected Votes.

himself, or by some one on their or his behalf, in support of such objection, nor unless the said Barrister shall be satisfied that the respective Notices of objection shall have been duly given: Provided also, That the said Barrister shall not inquire into or allow any objection to be inquired into, the ground whereof shall not have been stated in the said respective Notices.

17. Barrister to have power to insert in Lists the Names of Claimants omitted by the Overseers on proof of due claim and qualification.

And be it Enacted, That if it shall happen that any Person who shall have given to the Overseers of any parish or township due notice of his claim to have his Name inserted in the List of Persons entitled to vote in the election of a Knight or Knights of the Shire, shall have been omitted by such Overseers from such List, it shall be lawful for the Barrister, upon the revision of such List, to insert therein the Name of the Person so omitted, in case it shall be proved to the satisfaction of such Barrister that such Person gave due notice of his claim to the said Overseers, and that he was entitled on the last day of July then next preceding to be inserted in the List of Persons entitled to vote in the election of a Knight or Knights of the Shire for the county, or for the riding, parts or division of the county wherein the parish or township of such Overseers may be situate, in respect of the qualification described in such Notice of claim.

18. Voters residing out of the Polling District to which the Parish wherein their qualification is situate belongs, may vote in another Polling District on making a claim before the Revising Barrister.

AND whereas it was enacted by the said recited Act, that at every contested Election for any county, riding, parts or division of a county, Booths for taking the Poll at the principal place of Election, and also at each of the Polling Places for such county, riding, parts or division, should be erected as therein mentioned, and that no Person should be admitted to vote at any such Election in respect of any property situate in any parish, township or place, except at the Booth allotted for such parish, township or place; and if no Booth should be allotted for the same, then at any of the Booths for the same district: And whereas it is expedient that certain Voters should be admitted to vote elsewhere than at the Polling Place of the district wherein their qualification may be situate; BE it therefore Enacted, That wherever the place of abode of any Voter for any county, riding, parts or division of a county, as stated in the List of Voters of any parish or township within the same, shall not be within the Polling District of such parish or township, every such Voter whose said place of abode shall be within such county, riding, parts or division of a county respectively, shall, if duly registered in that behalf, be admitted to vote at the Polling Place of the district wherein his said place of abode may be situate; and every such Voter whose said place of abode shall not be within such county, riding, parts or division of a county shall, if duly registered in that behalf, be admitted to vote at the Polling Place of any other district, to be by him selected; any thing in the said recited Act to the contrary notwithstanding:

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notwithstanding: Provided always, That in order to be registered for that purpose, every such Voter who may be desirous of being admitted to vote at some other Polling Place than the Polling Place of the district wherein his qualification may be situate, shall make his claim to be admitted to vote at such other Polling Place before the Barrister holding his Court for the revision of the List wherein the Name of such Voter shall appear; and thereupon the said Barrister shall insert in the said List the Name of such Polling Place against the Name of such Claimant: Provided also, That if such Voter shall not personally appear before the said Barrister, such claim shall be made in writing signed by the said Voter, and shall be then and there verified on oath: Provided also, That every such Voter against whose Name in the Register for the time being the Name of any Polling Place shall be stated, shall not be admitted to vote elsewhere than at such last-mentioned Polling Place.

Cities and Boroughs.

19. Returning Officer to have Forms of Precepts, &c. printed.

And be it Enacted, That the Returning Officer of every city or borough entitled to return a Member or Members to serve in Parliament shall cause a sufficient number of Forms of Precepts, Notices and Lists to be printed, according to the Forms numbered (1. 2. 3. 4. 6. 7.) in the Schedule (II.) to this Act annexed, at the expense of such city or borough, and shall within the first week in June in every year, make and cause to be delivered to the Overseers of the Poor of every parish or township situate wholly or in part within such city or borough, or within any place sharing in the Election for such city or borough, his Precept according to the Form numbered (1.) in the Schedule to this Act annexed; and shall also within the said first week in June, make and cause to be delivered to the Town Clerk of such city or borough, and to the Town Clerk of every place sharing in the Election for such city or borough, his Precept according to the Form numbered in the said Schedule; and the said Returning Officer shall also cause to be delivered to the said Overseers and Town Clerks with every such Precept a sufficient number of the said printed Forms of Notices and Lists.

To issue his Precept to the Overseers and to the Town Clerk.

20. Overseers to give public Notice as to the payment of Rates and Taxes by Occupiers of Premises of the yearly value of 10*l.*

And be it Enacted, That the Overseers of every such parish or township shall, on or before the Twentieth day of June in each year, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same, a Notice in writing according to the Form numbered (2.) in the said Schedule (II.), stating that no Person will be entitled to have his Name inserted in any List of Voters for the city or borough then next to be made, in respect of the occupation of premises of the clear yearly value of not less than Ten Pounds, situate wholly or in part within such parish or township, unless he shall pay, on or before the Twentieth day of July then next ensuing, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect

of such premises during the Twelve calendar Months next before the Sixth day of April then last past; and that all Persons omitting to make such payment will be incapable of being upon the Register of Voters for the said city or borough then next to be made.

21. Overseers to have power of inspecting Tax Assessments, &c.

And be it Enacted, That the Overseers of every parish or township, for their assistance in making out the List of Voters as hereinafter mentioned, (upon request made by them or any of them at any reasonable time between the first day of June and the last day of July in every year, to any Assessor or Collector of Taxes, or to any other Officer having the custody of any duplicate or Tax Assessment for such parish or township), shall have free liberty to inspect any such duplicate or Tax Assessment, and to extract therefrom such particulars as may appear to such Overseer or Overseers to be necessary; and every such Assessor or Collector of Taxes shall, within Two Days after the said Twentieth day of July, make out and deliver to the said Overseers a List containing the Name and place of abode of every Person who shall not have paid on or before the said Twentieth day of July the Assessed Taxes which shall have become payable from him in respect of any premises within the said parish or township during the Twelve calendar Months next before the Sixth day of April then last past; and the said Overseers shall keep the said List to be perused by any Person without payment of any fee at all reasonables hours during the first two weeks after the Lists of Voters shall have been made as hereinafter mentioned.

22. Overseers to prepare Lists of Persons (other than Freemen) entitled to vote.

And be it further Enacted, That the Overseers of every such parish or township shall, on the Thirty-first day of July in every year, or within Three Days then next following, make out or cause to be made out according to the Form numbered (3.) in the Schedule (II.) to this Act annexed, an Alphabetical List of all Persons who may be entitled to vote in the election of a Member or Members to serve in Parliament for such city or borough, in respect of the occupation of premises of the clear yearly value of not less than Ten Pounds situate wholly or in part within such parish or township, and another Alphabetical List, according to the Form numbered (4.) in the said Schedule (II,) of all other Persons (except Freemen) who may be entitled to vote in the Election for such city or borough by virtue of any other right whatsoever; and in each of the said Lists the Christian Name and Surname of every such Person shall be written at full length, together with the nature of his qualification; and where any Person shall be entitled to vote in respect of any property, then the Name of the Street, Lane or other description of the place where such property may be situate, shall be specified in the List; and where any Person shall be entitled to vote otherwise than in respect of any property, then the Name of the Street, Lane or other description of the Place of Abode of such Person shall be specified in the List; and they, the said Overseers, shall also forthwith after the making of such Lists, sign the same, and cause a sufficient number of copies of such Lists to be fixed on or near

Copies of Lists to be fixed on

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the outer doors of all the Churches and Chapels in their several parishes and townships, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the Two Sundays next after such Lists shall have been made out; and the said Overseers shall likewise keep Copies of such Lists to be perused by any Person without payment of any Fee, at all reasonable hours during the first Two Weeks after such Lists shall have been made, and shall cause to be written or printed Copies thereof, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each Copy, such price not to exceed the rate of Three Halfpence for every Ninety Words.

Churches and Chapels.

Copies of Lists to be kept for inspection and for sale.

23. Provision for Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, having no Overseers of the Poor, and being within any city or borough, or within any place sharing in the election for any city or borough, shall, for the purpose of making out the Lists of Voters for such city or borough, be deemed to be within the parish or township adjoining thereto, and situate wholly or in part within such city or borough, or within such place sharing in the election therewith; and if such precinct or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being; and the Overseers of every such parish or township shall insert in the List for their respective parish or township the Names of all Persons who may be entitled to vote in the election of a Member or Members to serve in any future Parliament for any such city or borough, in respect of any property occupied by such Persons within such city or borough, or within any place sharing in the election therewith; such property being situate wholly or in part within such precinct or place as aforesaid.

24. Persons omitted from the Overseers' Lists to give notice of their Claims.

And be it Enacted, That every Person whose Name shall have been omitted in any such List of Voters for any city or borough so to be made out by the Overseers as aforesaid, and who shall claim to have his Name inserted therein as having been entitled on the last day of July then next preceding, shall on or before the Twenty-fifth day of August in that year give or cause to be given a notice in writing according to the Form numbered (5.) in the said Schedule (II.) or to the like effect, to the Overseers of that parish or township in the List whereof he shall claim to have his Name inserted; and the Overseers shall include the Names of all Persons so claiming as aforesaid in a List according to the Form numbered (6.) in the said Schedule (II.).

List of Claimants to be made.

25. Town Clerk to give a notice requiring Freemen entitled to in vote to send their claims in certain cases.

And be it Enacted, That the Town Clerk of every such city or borough shall, on the Twentieth day of June in every year, cause to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, then to be fixed in some public and conspicuous situation within such city or borough, a Notice in writing according to the Form numbered

bered (8.) in the Schedule (II.), requiring all Persons entitled to vote as Freemen in the election of a Member or Members to serve in Parliament for such city or borough who shall not be upon the Register of Voters for the said city or borough then in force; and all Persons so entitled as Freemen, who, being upon such Register, shall not continue in the same place of abode as described in such Register, to deliver or transmit to the said Town Clerk, on or before the Twentieth day of July in that year, a Notice in writing by them signed of their Claim as such Freemen, according to the Form numbered (9.) in the said Schedule (II.); and the Town Clerk of every place sharing in the election of any city or borough shall, on the said Twentieth day of June in every year, in like manner give a like notice.

20. Town Clerks to prepare Lists of Freemen.

And be it Enacted, That the Town Clerk of every such city or borough shall on or before the last day of July in every year, make out, or cause to be made out, according to the Form numbered (9.) in the said Schedule (II.), an Alphabetical List containing the Names of all Persons who shall be upon the Register for the time being for such city or borough as Freemen; and also the Names of all Persons who shall claim as aforesaid to be inserted in the List as such Freemen; and in every such List so to be made by the said Town Clerk, the Christian Name and Surname of every Person shall be written at full length, together with the place of his abode, as set forth in such Register or Claim to vote respectively; and the Town Clerk of every place sharing in the election for any city or borough shall on the said last day of July make out or cause to be made out, in the same manner, a like List of all Persons upon the said Register, or claiming as aforesaid as Freemen of such place; and every such Town Clerk, if he shall have reasonable cause to believe that any Person who is upon the said Register for the time being, or any Person so claiming as aforesaid, is not entitled to have his name upon the Register then next to be made for such city or borough as a Freeman, shall add the word "Objected" opposite the name of every such Person on the margin of the List; and shall add the word "Dead" opposite to the name of every Person, in the margin of such List, whom such Town Clerk shall have reasonable cause to believe to be dead; and every such Town Clerk shall sign such List, and shall cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within such respective city, borough or place as aforesaid, on the Two Sundays next after such List shall have been made; and shall likewise keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the Two first Weeks after such List shall have been made; and shall cause to be written or printed copies thereof, to be by him delivered to all persons applying for the same, on payment of a reasonable price for each copy, such price not to exceed the rate of Three Halfpence for every Ninety Words: Provided always, That

Town Clerks to have powe of objecting to any Name in the List, and to add the word "Dead" against any Name.

Lists to be fixed on the Town Hall.

Copies of Lists to be kept for inspection and sale.

That where there shall be no Town Clerk for such city, borough or place as aforesaid, or where the Town Clerk shall be dead or incapable of acting, all or any of the matters by this Act required to be done by and with regard to the Town Clerk, shall be done by and with regard to the Person executing duties similar to those of the Town Clerk, and if there be no such Person, then by and with regard to the Chief Civil Officer of such city, borough or place.

27. Persons named in the List may object to other Persons as not being entitled to be in the List.

And be it Enacted, That every Person whose name shall have been inserted in any List of Voters for any city or borough, may object to any other Person as not having been entitled on the last day of July then next preceding to have his name inserted in any List of Voters for the same city or borough; and every Person so objecting shall, on or before the Twenty-fifth day of August in that year, give or cause to be given a Notice in writing, according to the Form numbered (10.) in the said Schedule (II.), or to the like effect, to the Overseers who shall have made out the List in which the Name of the Person so objected to shall have been inserted; or if the Person objected to shall have been inserted in the List of Freemen of any city, borough or place as aforesaid, then to the Town Clerk of such city, borough or place: Provided always, That every such Notice of Objection shall be signed by the Person so objecting as aforesaid, and the ground or grounds of objection shall be stated therein.

Notices of Objection to be given to the Overseers, or in case of Persons on the List of Freemen to the Town Clerk.

Grounds of Objection to be stated in Notice.

28. Lists of Persons objected to, to be made.

And be it Enacted, That the Overseers shall include the names of all Persons so objected to as aforesaid in a List according to the Form numbered (11.) in the said Schedule (II.), and shall cause copies as well of the said List of Persons objected to as aforesaid, as also of the said List of Persons claiming as before mentioned, to be fixed on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no Church or Chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the Two Sundays next preceding the Fifteenth day of September in such year; and every Town Clerk shall include the Names of all Persons so objected to as Freemen in a List according to the Form numbered (12.) in the said Schedule (II.), and shall cause a copy of such List to be fixed on or near the door of the Town Hall, or if there be no Town Hall, then to be fixed up in some public and conspicuous situation within his respective city, borough or place as aforesaid, on the Two Sundays hereinbefore last mentioned in that year; and the Overseers and Town Clerks shall keep Copies of such Lists respectively, and shall allow the same, and also the Notices of Objection so to be given as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the Ten Days next preceding the said Fifteenth day of September in that year, and shall deliver a copy of each of such Lists to any Person requiring the same, on payment of a reasonable price for each copy, such price not to exceed the rate of Three Halfpence for every Ninety Words.

Such Lists, and the List of Claimants, to be fixed on Churches and Chapels.

Lists of Persons objected to as Freeman to be made and fixed on Town Hall.

Copies of Lists and Notices of Objection to be kept for inspection.

29. Overseers and Town Clerks to deliver Copies of Lists to the Returning Officer.

And be it further Enacted, That the said Overseers shall, on or before the Twenty-ninth day of August in that year, deliver to the Returning Officer of such city or borough a copy of the List of Voters so made out by them as aforesaid, and a copy of the List of Persons who shall have claimed as aforesaid, and a copy of the List of Persons objected to as aforesaid; and every such Town Clerk shall, on or before the said Twenty-ninth day of August, deliver to the said Returning Officer a copy of the List of Persons entitled to vote as Freemen so made out by him as aforesaid, and a copy of the List of Persons so objected to as Freemen as aforesaid.

30. Freemen and Liverymen of the City of London.

And be it Enacted, That for providing a List of such of the Freemen of the City of *London* as are Liverymen of the several Companies entitled to vote in the election of a Member or Members to serve in any future Parliament for the City of *London*, the Returning Officer or Officers of the said City shall, on or before the last day of July in the present and each succeeding year, issue Precepts to the Clerks of the said Livery Companies, requiring them within Seven Days thereafter, to make out or cause to be made out, at the expense of the respective Companies, an Alphabetical List according to the Form in the Schedule (III.) to this Act annexed, of the Freemen of *London* being Liverymen of the said respective Companies, and entitled to vote in such Election; and every such Clerk shall sign such List, and transmit the same, with Two printed Copies thereof, to such Returning Officer or Officers, who shall forthwith fix One such Copy in the Guildhall and One in the Royal Exchange of the said City, there to remain Fourteen Days in the present and in every subsequent year; and the Clerks of the said Livery Companies shall cause a sufficient number of such Lists of Freemen and Liverymen of their respective Companies to be printed at the expense of the respective Companies, and shall keep the same to be perused by any Person, without payment of any fee, at all reasonable hours during the Two first Weeks after such Lists shall have been printed; and every Person whose Name shall have been omitted in any such List of Freemen and Liverymen, and who shall claim to have his Name inserted therein as having been entitled on the last day of July then next preceding, shall on or before the Twenty-fifth day of August in the present and in every succeeding year give or cause to be given a Notice in writing, according to the Form numbered (1.) in the said Schedule (III.), or to the like effect, to the Returning Officer or Officers, and to the Clerk of that Company in the List whereof he shall claim to have his Name inserted; and the Returning Officer or Officers shall include the Names of all Persons so claiming as aforesaid in a List, according to the Form numbered (2.) in the said Schedule (III.), and shall cause such last-mentioned List to be fixed in the Guildhall and Royal Exchange of the said City on the Two Mondays next preceding the Fifteenth day of September in the present and in every succeeding year; and the said Returning Officer or Officers

and

and Clerks of the said Companies shall likewise keep a copy of the Names of all the Persons so claiming as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the Ten Days next preceding the said Fifteenth day of September in the present and in every succeeding year; and every Person who shall object to any other Person as not having been entitled on the last day of July then next preceding to have his Name inserted in any such Livery List, shall, on or before the Twenty-fifth day of August in the present and in every succeeding year, give to such other Person, or leave at his usual place of abode a Notice in writing, according to the Form numbered (3.) in the said Schedule (III.), or to the like effect; and in the City of London the Returning Officer or Officers shall take the poll or votes of such Freemen of the said City, being Liverymen of the several Companies, as are entitled to vote at such Election in the Guildhall of the said city; and the said Returning Officer or Officers shall not be required to provide any booth or compartments, but shall appoint or take One Poll for the whole number of such Liverymen at the same place.

31. Lord Chief Justice and Judges of Assize to appoint Barristers for revising Lists.

And be it Enacted, That the Lord Chief Justice of the Court of King's Bench for the time being, shall, in the month of July or August in every year, nominate and appoint so many Barristers as the said Lord Chief Justice shall deem necessary, each such Barrister being of not less than Five Years' standing, to revise the respective Lists of Voters for the City of *London* and for the City of *Westminster*, and for the several boroughs in the County of *Middlesex*, and that the Senior Judge for the time being in the Commission of Assize for every other county, shall during the Summer Circuit in every year nominate and appoint so many Barristers as the said Judge shall deem necessary, each such Barrister being of not less than Five Years' standing, to revise the respective Lists of Voters, as well for the several cities and boroughs in every such county as for every city and town and county of a city and town next adjoining to any such county; and the town and county of the town of *Kingston-upon-Hull*, shall for this purpose be considered as next adjoining to the county of *York*, and the town and county of the town of *Newcastle-upon-Tyne* as next adjoining to the county of *Northumberland*, and the city and county of the city of *Bristol* as next adjoining to the county of *Somerset*; and the said Lord Chief Justice and Judge respectively shall have power to nominate and appoint one or more Barristers to revise the Lists for the same city or borough or other place as aforesaid, or one Barrister only to revise the Lists for several cities, boroughs and other places as aforesaid: Provided always, That no Member of Parliament, nor any Person holding any office or place of profit under the Crown, shall be appointed as such Barrister as aforesaid, and that no Barrister so appointed as aforesaid shall be eligible to serve in Parliament for Eighteen Months from the time of his appointment for any city, borough or other

place as aforesaid for which he shall be so appointed: Provided also, That nothing herein contained shall prevent the same Barrister from being appointed to revise the Lists for Two or more counties, ridings, parts or divisions, or for any county, riding, parts or division, and any one or more of the cities or boroughs therein.

32. Barrister to notify his appointment to Returning Officer, who is to transmit to him all Lists.

And be it Enacted, That every Barrister who shall hereafter be appointed to revise the Lists of Voters in any city or borough, shall, immediately upon his appointment, notify the same to the Returning Officer of every such city or borough, and such Returning Officer shall forthwith transmit copies of the Lists of Voters, and of Persons claiming to be inserted in such Lists, and of the Persons objected to, to the Senior Barrister, where more than one shall be appointed, in order that the said Barrister or Barristers may fix proper times for the holding his or their Courts for the revision of the List of Voters for such city or borough.

33. Barrister to hold Courts, and give notice thereof to the Returning Officer, who is to publish the same.

And be it Enacted, That the Barrister or Barristers so appointed to revise the Lists of Voters for any city or borough, shall hold an open Court or Courts for that purpose within such city or borough, and also within every place sharing in the election for such city or borough at the same time, between the Fifteenth day of September inclusive and the First day of November inclusive in every year, and such Barrister or Barristers shall Ten Days at the least before holding of such Court or Courts, give Notice to the Returning Officer of such city or borough of the time of holding the same; and the said Returning Officer shall forthwith cause a Notice thereof to be fixed up on the outer doors of all Churches and Chapels within such city, borough or place, and on the outer door of the Town Hall of such city, borough or place respectively, or if there be no Church or Chapel or Town Hall therein, then to be fixed up in some public and conspicuous place within the same respectively.

34. Returning Officer, Town Clerks and Overseers of the present and past year to attend the Courts.

And be it further Enacted, That the Returning Officer of every such city or borough, and the Town Clerk of every such city or borough or place sharing in the election therewith, and the several Overseers for the time being of every parish or township within every such city, borough or place as aforesaid, and also such of the Overseers thereof for the year then last past, as shall at the time of the holding of such Court be resident within such city or borough, and in the City of London the Clerks of the several Livery Companies of such city, shall attend the Court to be holden before every such Barrister for every such city, borough or place as aforesaid, and shall answer, upon Oath, all such questions as such Barrister may put to them, or any of them, touching any matter necessary for revising the Lists of Voters; and the said Overseers and Town Clerks respectively, and in case of the City of *London* the Returning Officer of the said City shall, at the opening of the said Court, deliver to the said Barrister the several Lists so made out

by

by them respectively as aforesaid, and also the original Notices of Claim, and the original Notices of Objection, so given to them as aforesaid; and the said Overseers shall also produce at the said Court all Rates made for the relief of the Poor of their respective parishes or townships, between the Thirty-first day of July in the year then last past and the Thirty-first day of July in the then present year; and every such Barrister shall have power to require any Assessor, Collector of Taxes, or other Officer having the custody of any Duplicate or Tax Assessment, or any Overseer or Overseers, or other Person, having the custody of any Poor Rate, to produce the same respectively before him at any Court to be held by him for the purpose of assisting him in revising the Lists to be by him revised in pursuance of this Act.

35. Powers of Barrister to insert and expunge Names.

And be it Enacted, That every such Barrister shall insert in the List of Voters the Name of every Person omitted therefrom, who shall be proved to the satisfaction of such Barrister to have given due Notice of his Claim to be inserted in any such List of Voters for such city or borough, and to have been entitled on the last day of July then next preceding to have his Name inserted therein in respect of the qualification described in such Claim; and such Barrister shall expunge from the List the name of every Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such Person was entitled on the last day of July then next preceding to have his Name inserted in the List of Voters for the said city or borough, in respect of the qualification described in such List; or in case it shall be proved to the satisfaction of such Barrister that such Person was then incapacitated by law or by any statute from voting in the election of Members to serve in Parliament, and shall also expunge the name of every Person who shall be proved to him to be dead; and such Barrister shall correct any mistake which shall be proved to him to have been made in any such List as to any of the particulars required to be inserted in such Lists; and wherever the Christian Name, or the place of Abode, or the nature of the Qualification, or the local description of the Property of any Person who shall be included in any such List, shall be wholly omitted in any case where the same is by this Act directed to be specified therein, such Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted be supplied to the satisfaction of such Barrister before he shall have completed the revision of such List, in which case he shall then and there insert the same in such List: Provided always, That no Person's Name shall be expunged as aforesaid except in case of his death, or of any such omission as hereinbefore mentioned, unless the Party who shall have objected to such Person shall appear before the said Barrister, by himself or by some one in his behalf, in support of such objection, or in default of such appearance, some other Person, whose Name shall be in some List of Voters for the said city or borough, shall then and there

Mode of proceeding in cases of Objection.

Cities and Boroughs.

there appear to support such objection, and shall declare, by writing by him signed and delivered to the said Barrister, that he is willing to be deemed to be the party objecting in the place and stead of the party who shall have given the Notice of Objection as aforesaid, nor unless the said Barrister shall be satisfied that the Notice of Objection shall have been duly given as is hereinbefore required in each of the said cases: Provided also, That the said Barrister shall not inquire into, or allow any Objection to be inquired into, the ground whereof shall not have been stated in the said Notice: Provided also, That in the case of Freemen the Revising Barrister shall have no power to question the title of any Freeman as such whose title to be on the Roll of Freemen could not be questioned by *quo warranto.*

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36. Power of Revising Barristers to adjourn their Courts, administer Oaths, &c.

And be it Enacted, That every Barrister holding any Court under this Act as aforesaid shall have power to adjourn the same from time to time and from any one place to any other place or places within the same county, riding, parts or division, or within the same city or borough, or within any place sharing in the election for such city or borough, but so as that no such adjourned Court shall be held after the First day of November in any year; and every such Barrister shall have power to administer an oath (or in the case of a Quaker or Moravian an affirmation) to all Persons making objection to the insertion or omission of any Name in any of such Lists as aforesaid, and to all Persons objected to or claiming to be inserted in any of such Lists, or claiming to have any mistake corrected or any omission supplied in any of such Lists, and to all Witnesses who may be tendered on either side; and that if any Person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be deemed guilty of Perjury, and shall be punished accordingly; and that at the holding of such respective Courts the Parties shall not be attended by Counsel, and that every such Barrister shall upon the hearing in open Court finally determine upon the validity of such claims and objections, and shall for that purpose have the same powers, and proceed in the same manner (except where otherwise directed by this Act) as the Returning Officer of any county, city or borough, according to the laws and usages now observed at elections; and such Barrister shall in open Court write his Initials against the Names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected or any omission supplied, or the name of any polling place inserted, and shall sign his Name to every page of the several Lists so settled.

37. Judges to appoint additional Barristers in case of need.

And be it Enacted, That notwithstanding any thing herein before contained, if it shall be made to appear to the Lord Chief Justice or Judge who shall have appointed any Barrister or Barristers under this Act to revise the List of Voters, that by reason of the death, illness or absence of any such Barrister or Barristers, or by reason of the insufficiency

sufficiency of the number of such Barristers, or from any other cause, such Lists cannot be revised within the period directed by this Act, it shall be lawful for such Lord Chief Justice or Judge, and he is hereby required to appoint one or more Barrister or Barristers, each of such Barristers being of not less than Five Years' standing, to act in the place of or in addition to the Barrister or Barristers originally appointed; and such Barrister or Barristers so subsequently appointed shall have the same powers and authorities in every respect as if they had been originally appointed by such Lord Chief Justice or Judge.

38. County Lists to be transmitted to Clerk of the Peace, and to be by him copied into a Book.

And be it Enacted, That the Lists of Voters for each county, or for the riding, parts or division of each county so signed as aforesaid by any such Barrister, shall be forthwith transmitted by him to the Clerk of the Peace of the county, riding or parts for which such Barrister shall have been appointed; and the Clerk of the Peace shall keep the said Lists among the Records of the Sessions, arranged with every hundred in alphabetical order, and with every parish or township within such hundred likewise in alphabetical order, and shall forthwith cause the said Lists to be fairly and truly copied by the same order, in a book to be by him provided for that purpose; and shall prefix to every name so copied out its proper number, beginning the numbers from the first name, and continuing them in a regular series down to the last name, and shall complete and deliver such book on or before the Tenth day of November in every year to the Sheriff of the County or his Under Sheriff, who shall safely keep the same, and shall at the expiration of his office deliver over the same to the succeeding Sheriff or his Under Sheriff; and the Lists of Voters for each city or borough so signed as aforesaid by any such Barrister, shall be forthwith delivered by him to the Returning Officer for such city or borough, who shall safely keep the same, and shall cause the said Lists to be fairly and truly copied in a book to be by him provided for that purpose, with every name therein numbered according to the directions aforesaid; and shall cause such book to be completed on or before the Tenth day of November in every year, and shall deliver over such book, together with the Lists, at the expiration of his office, to the person succeeding him in such office; and every such book to be so completed on or before the Tenth day of November in every year shall be the Register of Electors to vote at any election which shall take place between the Tenth day of November inclusive, in the year wherein such respective Register shall have been made, and the Tenth day of November in the succeeding year: Provided always, That the Revising Barrister shall furnish the Clerk of the Peace in Counties, and the Returning Officer in Boroughs respectively (as the case may be) with a List of the Persons whose claims to vote he has not allowed, and the said Clerk of the Peace and Returning Officer shall preserve such List of disallowed Claimants, and shall enter the same in a separate book, to be by them provided for that purpose.

Borough Lists to be delivered to the Returning Officer, and to be by him copied into a Book.

Such Books to be the Register of Voters for One Year.

Counties, Cities and Boroughs.

39. Persons may be subpœnaed as Witnesses before the Courts of the Revising Barristers.

AND whereas it is expedient to make provision for compelling the attendance of Witnesses before the Courts of the Revising Barristers, for the purpose of being examined touching any matters cognizable before such Courts; BE it therefore Enacted, That for the purpose of compelling the attendance of Witnesses before the Court of any Revising Barrister, to be holden for revising the List of Voters for any county, riding, part or division, the Clerk of the Peace for such county, riding, part or division, or any Barrister appointed to revise the said List, and for the purpose of compelling the attendance of Witnesses before the Court of any Revising Barrister, to be holden for revising the List of Voters for any city, borough, town or place, returning Members or a Member to Parliament, the Returning Officer of such city, borough, town or place, or any Barrister appointed to revise the List of Voters for such city, borough, town or place, shall and they are hereby respectively required, upon the application of any Party requiring the same, to issue a Summons under his hand, calling on any Person or Persons to be therein named, to attend before the Court of any such Revising Barrister as aforesaid, to be examined touching any matter cognizable before such Court.

40. Proceedings against Persons subpœnaed who shall not attend the Court.

And be it further Enacted, That the service of every such Summons upon any Person shall be good and effectual to compel the attendance of such Person to be examined before such Court in every part of *England* and *Wales*; and in case the Person served shall not appear according to the exigency of such Summons, it shall be lawful for the Revising Barrister before whose Court such Person shall have been by such Summons required to attend, to transmit a Certificate of such default under his hand to the Court of King's Bench in *England*, and such last-mentioned Court shall and may proceed against and punish such Person so having made such default, in like manner as they might have done if such Person had neglected or refused to appear in obedience to a Subpœna issued out of such Court: Provided always, That the said last-mentioned Court shall not in any case proceed against or punish any Person for having made default by not appearing to give evidence in obedience to any such Summons, unless it shall be made to appear to such Court that a reasonable and sufficient sum of money to defray the expenses of coming and attending to give evidence, and of returning from giving evidence, had been tendered to such Person at the time when such Summons was served upon such Person.

Counties.

41. Power to Barristers to fine High Constables for neglect of duty.

And be it Enacted, That if any High Constable within the meaning of this Act shall wilfully refuse or neglect to make and deliver his Precept as hereinbefore directed to the Overseers of any parish or township within his constablewick, or shall wilfully refuse or neglect to deliver with such Precept such a number of the Forms of Notices and Lists, and of the copies of the part of the Register relating to such parish or township, as he shall *bonâ fide* deem sufficient, or to deliver such additional

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tional number thereof as may be demanded of him by any Overseer as aforesaid, provided he has such additional number in his possession, or in case of his not so having them, shall refuse or neglect to apply forthwith to the Clerk of the Peace for such additional number, and to deliver the same to the Party so demanding the same within Three Days after his receipt thereof, or shall wilfully refuse or neglect to deliver to the Clerk of the Peace, as hereinbefore directed, the Copies of the Lists of Claimants, and of the Persons objected to, the Copies of the parts of the Register, and the original Notices of Objection by him received from the Overseers of the several parishes or townships within his constablewick, immediately after he the said High Constable shall have so received the same, or shall wilfully refuse or neglect (immediately after he shall have received from such Clerk of the Peace any Notice of the times and places of the holding of the Courts for the revision of the Lists of Voters for the county, riding, parts or division of a county as aforesaid) to cause a Notice thereof to be fixed up in some public and conspicuous situation at every place within his constablewick appointed for the holding of any such Court, or to give notice to the Overseers of the Poor of every parish or township within his constablewick of the time and place of holding such Court for the revising the List of such parish or township, or shall wilfully refuse or neglect to attend at every such Court holden for revising the List of any parish or township within his constablewick, every such High Constable offending in any one of the cases aforesaid, shall for every such offence be liable to pay a sum of money by way of Fine, not exceeding Five Pounds nor less than Twenty Shillings, to be imposed by and at the discretion of the Barrister holding any Court for the revision of the List of any parish or township as aforesaid within the constablewick of such High Constable.

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42. Power to Barristers to fine Overseers for neglect of duty.

And be it Enacted, That if any Overseer of any parish or township within the meaning of this Act, shall wilfully refuse or neglect to make out any List, or to cause to be fixed up any Notice or List, or copy of the part of the Register of Voters relating to his parish or township, at the time and in the manner required by this Act, or shall wilfully refuse or neglect to deliver to the High Constable the Copies of the Lists of Claimants and of persons objected to, and the Copies of the part of the Register of the original notices of objection as required by this Act, or shall wilfully refuse or neglect to deliver to the returning officer of the City or Borough the Copies of the several Lists as required by this Act, or shall wilfully refuse or neglect to attend the Court for revising the List of Voters of his parish or township, or shall wilfully refuse or neglect to deliver to the Barrister or Barristers holding any such Court, the several Lists so to be made out by them as aforesaid, and the original Notices of Claim and of Objection as respectively required by this Act, every such Overseer offending in any

of such cases as aforesaid, shall, for every such offence, be liable to pay by way of fine, a sum of money not exceeding Five Pounds nor less than Twenty Shillings, to be imposed by and at the discretion of any Barrister holding any Court for the revision of any List of the parish or township of such Overseer.

43. Fines, to whom payable, and to what purpose to be applied.

And be it Enacted, That whenever any such Fine shall be imposed on any High Constable for any such Offence as aforesaid, or on any Overseer for any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any county, riding, parts or division of a county, such fine shall be paid to the use of the general rate of the county, riding, parts or division of a county in which the parish or township of such Overseer shall be situate; and wherever any such fine shall be imposed on any Overseer for any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any city or borough, such fine shall be paid to the use of the Poor's Rate of the parish or township of such Overseer; and it shall and may be lawful for any such Barrister so imposing any such fine as aforesaid, and he is hereby directed and empowered to order the Party offending to pay such fine to some Person to be by him the said Barrister authorized to receive the same, and to be applied by such Person for the use of the said county, riding, parts or division of a county, or for the use of the said parish or township, as the case may be, and such Barrister shall make his order or certificate in writing for that purpose, according to the Form, Number in the Schedule to this Act annexed, or to the like effect.

44. Power to Barrister to give Costs in certain cases to Parties claiming or objecting.

And be it further Enacted, That in the revision of any List of Voters for any county, riding, parts or division of a county, if it shall appear to the Barrister holding the Court for that purpose that any Person objected to as hereinbefore mentioned had no reasonable and probable cause for making his claim to be inserted in such List, in every such case the said Barrister shall and he is hereby empowered to make and deliver to the Party objecting an order or certificate in writing for the payment to him, by the said Person so objected to as aforesaid, of any sum of money not exceeding the sum of Ten Pounds for costs; and that in the revision of any List of Voters for any county, riding, parts or division of a county, or for any city or borough, if any person objected to as hereinbefore mentioned shall appear by himself, or some one on his behalf, before the Barrister holding the Court for that purpose, and shall defend his title to have been inserted in any such List, and it shall appear to such Barrister that he had no reasonable and probable cause for such defence, in every such case the said Barrister shall and he is hereby empowered to make and deliver to the party objecting an order or certificate in writing for the payment to him by the said Person so objected to as aforesaid of any sum of money not exceeding the sum of Ten Pounds for costs;

costs; and if any Person objecting as hereinbefore mentioned to any other Person as not having been entitled to have his Name inserted in such List, shall not appear, by himself or by some one in his behalf, in support of such objection before the Barrister holding his Court for that purpose, or if it shall appear to the said Barrister that the Person objecting had made such objection without any reasonable and probable cause, in all such cases the said Barrister shall and he is hereby empowered to make and deliver to the Person so objected to as aforesaid an order or certificate in writing for the payment to him, by the said Party objecting of any sum of money not exceeding the sum of Ten Pounds for costs: Provided always, That the said Barrister shall not in any case be empowered to order the payment to any party of any sum of money exceeding the costs actually incurred by him in support of his objection, or of his claim or title to vote, as the case may be; and the said Barrister, in all cases in which he shall award the payment of any costs shall tax the same, and shall ascertain and state on the face of his said Certificate the sum payable on account thereof: Provided also, That the Revising Barrister shall have no power to award the payment of any costs by any person in respect of an Objection made by him to the insertion of the Name of any Person for the first time, on any Register of Voters.

45. Fines and Costs to be recovered by distress and sale of the Party's Goods.

And be it Enacted, That in case the Person ordered by any such order or certificate to pay any sum of money by way of Fine, or any sum of money as Costs as aforesaid, shall not forthwith pay the same according to such order or certificate, it shall and may be lawful for any Justice of the Peace of the county, riding, parts or division of a county, or for the city or borough, in the revising of any List, whereof the said Barrister shall have made such order or certificate, as the case may be, and every such Justice is hereby empowered and required, upon due proof to him made that a copy of the said Order or Certificate hath been served upon the Party thereby ordered to pay the sum of money therein mentioned, and that the said sum of money hath been duly demanded of him, and that he hath refused or neglected to pay the same, to cause the said sum of money to be levied by distress and sale of the goods and chattels of the said Party, together with the expenses of such levy, the overplus (if any) to be rendered by the Person making such levy to the owner of the goods and chattels on request; and the said Justice shall make his warrant for such levy under his hand and seal, according to the Form numbered in the Schedule to this Act annexed, or to the like effect, and no Certiorari or other writ or process for the removal of any such order or certificate or warrant, or any proceedings thereon, into any of His Majesty's Courts at *Westminster*, shall be allowed or granted: Provided always, That nothing herein contained as to any such Fine as aforesaid, shall in any way affect or abridge the right of action against

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any High Constable or Overseer, according to the form and effect of the said recited Act in that behalf.

46. Copies of the Registers to be printed for sale.

And be it Enacted, That the Clerks of the Peace shall cause to be printed Copies of the Registers of the Voters for their respective counties, ridings, parts or divisions of counties, and every such Clerk of the Peace shall deliver such respective Copies to all Persons applying for the same, on payment of a reasonable price for each Copy; and the Monies arising from the sale thereof shall be accounted for to the Treasurer of the respective county, riding, parts or division; and the Returning Officer of every city or borough shall cause to be printed Copies of the Register of the Voters for such city or borough, and shall deliver such Copies to all Persons applying for the same, on payment of a reasonable price for each Copy; and the Monies arising from the sale of all such Copies of the Registers of the Electors for every such city or borough shall be accounted for by every such Returning Officer to the Overseers of the several parishes and townships within the same, in proportion to the number of Persons placed on the Register of Voters for each parish or township, and shall be applied by the said Overseers to the same purposes as Monies collected for the relief of the Poor; and the names of the "Disallowed Claimants" shall be printed at the end of such Registers of Voters, but in such a manner as not to be mingled with the names of the Voters.

Counties.

47. Expenses of Clerks of the Peace and High Constables, &c. how to be defrayed.

And be it Enacted, That all Expenses incurred by the Clerk of the Peace on any county, riding, parts or division of a county in causing the Lists of the Voters for such county, riding, parts or division of a county to be copied out and made into a Register, and in causing Copies of such Register to be written or printed, and in otherwise carrying into effect the provisions of this Act; and that all Expenses incurred by the High Constables within such county, riding, parts or division of a county in carrying into effect the provisions of this Act, shall be defrayed by the Treasurer of such county, riding or parts, out of any public Money in his hands, and he shall be allowed all such payments in his Accounts: Provided always, That no Expenses incurred by any Clerk of the Peace or High Constable under this Act, shall be so defrayed, unless the Account thereof be laid before the Justices of the Peace at the next Quarter Sessions after such Expenses shall have been incurred, and the same be allowed by the Court.

Counties, Cities and Boroughs.

48. Expenses of Overseers, Returning Officers, &c, how to be defrayed.

And be it Enacted, That the Expenses incurred by the Overseers of any parish or township in making out, printing and publishing the several Notices and Lists directed by this Act to be done by them, and all other Expenses incurred by them in carrying into effect the provisions of this Act, shall be defrayed out of the Money collected or to be collected for the relief of the Poor in such parish or township; and that all Expenses incurred by the Returning Officer of any city or borough

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borough in causing the Forms of Precepts, Notices and Lists to be printed, and the Lists of the Voters for such city or borough to be copied and made into a Register, and in causing Copies of such Register to be written or printed, and all other Expenses incurred by him in carrying into effect the provisions of this Act, and all Expenses incurred by any Town Clerk in carrying the provisions of this Act into effect, shall be defrayed by the Overseers of the Poor of the several parishes and townships within such city or borough or place sharing in the election therewith, out of the Money collected or to be collected for the use of the Poor in such parishes and townships, in proportion to the number of Persons placed on the Register of Voters for each parish or township; and provided always, That no Expenses incurred by any Overseer of any parish or township under this Act shall be so defrayed, unless the Account be laid before the Barrister at the Court held for revising the List of Voters for such parish or township, or some adjournment thereof, and be allowed by such Barrister.

49. Remuneration of Revising Barristers.

And be it Enacted, That every Barrister appointed to revise any Lists of Voters under this Act, shall be paid at the rate of Five Guineas for every day that he shall be so employed over and above his travelling and other expenses; and every such Barrister after the termination of his last sitting, shall lay or cause to be laid before the Lords Commissioners of His Majesty's Treasury for the time being a statement of the number of days during which he shall have been so employed, and an account of the travelling and other expenses incurred by him in respect of such employment; and the said Lords Commissioners shall make an order for the amount to be paid to such Barrister.

Counties.

50. Provision as to the right of voting of Trustees and Mortgagees.

AND whereas it was by the said Act enacted, that no Person should be allowed to have a Vote in the Election of a Knight or Knights of the Shire for or by reason of any trust, estate or mortgage, unless such Trustee or Mortgagee were in actual possession or receipt of the rents and profits of the same estate; and whereas doubts have arisen as to the true intent and meaning of such last-mentioned enactment; BE it therefore Declared and Enacted, That no Person shall be allowed to have his name placed on the Register, as a Voter in the Election of a Knight or Knights of a Shire, as a Mortgagee or Trustee for or by reason of any mortgage or trust estate, unless in the case of a Mortgagee he be in actual possession or receipt of the rents and profits of the same estate for his own use; or unless being a Trustee he be in actual possession or receipt of the rents and profits of the same estate for charitable uses, and be entitled by or in pursuance of the instrument creating the trust to exercise a control or disposition over the rents and profits of the same estate, or any portion of them, or to exercise a power in selecting from time to time the parties to be benefited thereby: Provided always, That where the number

of such Trustees of any trust shall exceed the number of three, Three only of such Trustees shall be entitled to be placed on the Register of Voters in respect of such trust; and such Three shall be the Three Trustees who shall from time to time be the first named in the deed or instrument creating or regulating the trust.

Cities and Boroughs.

51. As to occupancy of any Tenement jointly with other Tenements.

AND whereas in and by the said recited Act it was enacted, that in every city or borough which should return a Member or Members to serve in any future Parliament, every Male Person of full age, and not subject to any legal incapacity, who should occupy within such city or borough or within any place sharing in the election of such city or borough, as owner or tenant, any house, warehouse, counting-house, shop or other building, being either separately or jointly with any land within such city, borough or place occupied therewith by him as tenant under the same landlord, of the clear yearly value of not less than Ten Pounds, should, if duly registered according to the provisions thereinafter contained, be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such city or borough: AND whereas it was also enacted and provided, in and by the said recited Act, that no such Person should be registered in any year unless he should have paid, on or before the Twentieth day of July in such year, all the Poor's Rates and Assessed Taxes which should have become payable from him in respect of such premises, previously to the Sixth day of April then next preceding: AND whereas doubts have arisen as to the construction and meaning of certain parts of the said enactments; BE it therefore Declared and Enacted, That the occupation of any house, warehouse, counting-house, shop or other building, jointly with any other warehouse, counting-house, shop or other building, or with any number or combination of such premises, shall be deemed to be within the true intent and meaning of the said enactment.

52. Tenement occupied with Land must be of 5*l.* clear yearly value.

And be it also Enacted, That no Person who shall occupy within any city or borough, any building or buildings, not being a dwelling-house jointly with any land, shall be entitled to vote in the Election of a Member or Members to serve in Parliament for any city or borough, in respect of the occupation of such premises, unless such building or buildings, when taken separately from such land, shall be of the clear yearly value of not less than Five Pounds.

53. As to Payment of Poor's Rate and Assessed Taxes.

And be it also Enacted, as to the payment of the Poor's Rates and Assessed Taxes, so required to be paid as aforesaid, That every Person so occupying such premises as in the said recited Act mentioned, may and shall be registered in any year if he shall have paid, on or before the Twentieth day of July in that year, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such premises during the Twelve calendar Months next before the Sixth day of April in that year.

And

Cities and Boroughs.

54. How distances to be calculated.

AND whereas doubts have arisen as to the proper mode of computing the distance of Seven statute Miles in the said recited Act mentioned and therein prescribed, as to the residence of Voters for any city or borough; BE it therefore Enacted, That the said distance shall be computed from the nearest point of the city or borough in a straight line: Provided always, That in cases where there is now, or shall hereafter be, a Map of any city or borough and of the county or counties surrounding the same, to the extent of more than Seven statute Miles, published under the authority and direction of the Principal Officers of His Majesty's Ordnance, such distance may be measured and determined by the said Map.

55. Freeholders in New Shoreham, Cricklade, &c. need not be assessed to Land Tax.

AND whereas doubts have arisen whether, in order to entitle any Person to vote for the Borough of *New Shoreham*, or of *Cricklade*, *Aylesbury* or *East Retford* respectively, in respect of any freehold messuages, lands or tenements therein situate, it is necessary that the same should be assessed to the Land Tax; BE it therefore Declared and Enacted, That in order to entitle any Person to vote in any election of a Member to serve in any future Parliament in respect of any freehold messuages, lands or tenements situate within the Boroughs of *New Shoreham*, *Cricklade*, *Aylesbury* or *East Retford* respectively, it shall not be necessary that the same shall be assessed to the Land Tax, any statute to the contrary notwithstanding.

Counties, Cities and Boroughs.

56. Clause as to putting Questions at the Poll repealed.

AND whereas it was enacted in and by the said recited Act, that certain Questions might be put to every Voter at the time of his tendering his vote in any Election: AND whereas it is expedient that all the provisions touching and concerning the said Questions, and the administering and taking of any oath at the time of polling should be repealed, and other provisions be enacted in lieu thereof; BE it therefore Enacted, That the said Provisions shall be and the same are hereby Repealed.

57. No Inquiry at time of Election, except as to identity of the Voter, and whether he has voted before at same Election, and except as to his having the Qualification mentioned in the Register.

And be it Enacted, That in all Elections whatever of a Member or Members to serve in Parliament no inquiry shall be permitted at the time of polling as to the right of any Person to vote, except only as follows; (that is to say) that the Returning Officer or his respective Deputy shall, if required on behalf of any Candidate, put to any Voter at the time of his tendering his vote, and not afterwards, the following Questions, or either of them, and no other:

1. Are you the same Person whose name appears as *A. B.* on the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

Counties, Cities and Boroughs.

2. Have you already voted, either here or elsewhere, at this Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

And the Register shall be deemed and taken to be conclusive evidence that the Persons therein named continue to have the qualifications which are annexed to their names respectively in such Register, while such Register is in force; and if any Person shall wilfully make a false answer to either of the Questions aforesaid, he shall be deemed guilty of a Misdemeanor, and shall and may be indicted and punished accordingly; and the Returning Officer or his Deputy, or a Commissioner or Commissioners to be for that purpose by law appointed, shall, if required on behalf of any Candidate at the time aforesaid, administer an Oath, or (in case of a Quaker, Moravian or Separatist) an Affirmation, to any Voter in the following form:

Oath to be taken if required.

You do swear [*or*, affirm, *as the case may be*] that you are the same Person whose name appears as *A. B.* on the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be*], and that you have not before voted, either here or elsewhere, at the present Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

So help you GOD.

No other Oath to be taken.

And no Voter shall hereafter at any such Election be required to take any Oath or Affirmation except as aforesaid, either in proof of his freehold or of his residence, age or other qualification or right to vote, any law or statute, local or general, to the contrary notwithstanding; and no Person who, being upon such Register, shall claim to vote at any such Election, shall be excluded from voting thereat, except by reason of its appearing to the Returning Officer or his respective Deputy, upon putting such Questions as aforesaid, or any of them, that the Person so claiming to vote is not the same Person whose name appears on such Register as aforesaid, or that he has previously voted at the same Election, or that he has not then the qualification which is annexed to his name in such Register, or except by reason of such Person refusing to take the said Oath, or make the said Affirmation, or to take or make the Oath or Affirmation against Bribery; and no Scrutiny shall hereafter be allowed by or before any Returning Officer with regard to any Vote given or tendered at any such Election; any law, statute or usage to the contrary notwithstanding.

No Scrutiny to be allowed.

And

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58.
CLAUSE (A.)

AND whereas in and by the said recited Act it was enacted, that at every contested Election for any county, riding or division of a county, city or borough, the Sheriff, Under Sheriff or Returning Officer should on the day therein mentioned, after the close of the Poll, openly break the seals on the several Poll Books, and cast up the number of Votes as they appear on the said several Books, and openly declare the state of the Poll, and make proclamation of the Member or Members chosen, not later than the time therein mentioned: AND whereas no adequate provision has been made for the safe custody and production of the said Poll Books subsequent to such declaration of the Poll and proclamation of the Members chosen as aforesaid, in consequence whereof great mischief and expense have arisen in cases of disputed Returns of Members to serve in Parliament; BE it therefore Enacted, That after the said Sheriff, Under Sheriff or Returning Officer shall have declared the state of the Poll, and made proclamation of the Member or Members chosen to serve in Parliament in the manner provided for by the said hereinbefore in part recited Act, shall forthwith enclose and seal up the several Poll Books and tender the same to each of the Candidates, who shall also respectively seal the same; and in case any Candidate shall neglect or decline to seal the same, then it shall and may be lawful for any of the other Candidates to seal the same for or in behalf of such Candidate so neglecting or refusing, and to endorse thereon the fact of such neglect or refusal, as the case may be; and every such Sheriff, Under Sheriff or other Returning Officer shall with all convenient expedition, not exceeding Fourteen Days, transmit the said several Poll Books so sealed as aforesaid, to the Clerk of the Crown in the High Court of Chancery, to be by him kept and preserved, who shall endorse thereon the day upon which he received the same.

59.
CLAUSE (B.)

And be it further Enacted, That the Clerk of the Crown shall, if required in writing by any Candidate or Candidates, or by any Petitioner who shall have entered into recognizances to prosecute a Petition against the Return, deliver to him or them, or his or their agent, an attested copy of the Poll Books taken at such Election, on payment of a reasonable charge for writing the same; and after such copy shall have been made, then the said Clerk of the Crown shall re-seal the said several books with his own seal.

60.
CLAUSE (C.)

And be it further Enacted, That the said Clerk of the Crown shall, upon receiving a Warrant signed by the Chairman of any Committee appointed for the trial of Controverted Elections, produce before such Committee the said several books so deposited with him as aforesaid, and such production shall be full and sufficient proof of the authenticity of the said Poll Books.

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61. CLAUSE (D.)

And be it further Enacted, That every Sheriff, Under Sheriff, Returning Officer or Clerk of the Crown, for every wilful attempt contrary to this Act, shall forfeit to every party aggrieved, the sum of Five hundred Pounds, to be received by him or them, together with full costs of suit.

62.

AND whereas in and by the said recited Act it is provided, that upon petition to The House of Commons, complaining of an undue Election or Return of any Member or Members to serve in Parliament, any Petitioner or any Person defending such Election or Return shall be at liberty to impeach the correctness of the Register of Voters in force at the time of such Election, by proving that in consequence of the decision of the Barrister who shall have revised the Lists of Voters from which such Register shall have been formed, the Name of any Person who voted at such Election was improperly inserted or retained in such Register, or the name of any Person who tendered his vote at such Election improperly omitted from such Register, and the Select Committee appointed for the trial of such Petition shall alter the Poll taken at such Election according to the truth of the case, and shall report their determination thereupon to The House, and The House shall thereupon carry such determination into effect, and the Return shall be amended or the Election declared void, as the case may be, and the Register corrected accordingly, or such other order shall be made as to The House shall seem proper: AND whereas doubts have arisen as to the true intent and meaning of the said enactment with respect to the power and authority of any such Committee to inquire into the validity or invalidity of the Vote of any Person being on the Register of Voters in force at the time of such Election; BE it therefore Enacted, That it shall and may be lawful for any such Committee to inquire into and decide upon the right to vote of any Person who being upon the Register of Voters in force at the time of such Election, shall have voted in such Election, in case the name of such Person shall have been specially retained upon such Register, or inserted therein by and in consequence of the express decision of the Barrister or Barristers who shall have revised the Lists of Voters from which such Register shall have been formed; and also that it shall and may be lawful to such Committee to inquire into and decide upon the right to vote of any Person who, being upon such Register, shall have voted in such Election, so far as the same may be disputed on the ground of personal incapacity at the time of his voting, under and by virtue of any statute now or hereafter to be in force, or on the ground of any other personal incapacity at the time of his voting, which may have arisen subsequently to the Thirty-first day July of next preceding the formation of the Register of Voters in force at the time of such Election; but that, except in such cases or on such grounds as aforesaid, the Register of Voters in force at the time of such Election, shall be final and

Power to Committees on Election Petitions to decide as to right of voting.

and conclusive, to all intents and purposes, as to the right to vote in such Election of every Person who shall be upon such Register.

63. CLAUSE (E.) Number of Polling Places may be increased.

AND whereas by an Act passed in the second year of the reign of His present Majesty King WILLIAM the Fourth, intituled, "An Act to settle and determine the Divisions of Counties, and the Limits of Cities and Boroughs in *England* and *Wales*, in so far as respects the Elections of Members to serve in Parliament," it is among other things enacted, that certain places mentioned in the Schedule marked (N.) to such Act annexed, are to be the Polling Places where the Poll at contested Elections of Knights of the Shire is to be taken: AND whereas it is expedient that provision should be made to increase, if necessary, the number of such Polling Places; BE it therefore Enacted, That it shall be lawful for His Majesty, by and with the advice of His most honourable Privy Council, to declare and direct, on requisition so to do from the Justices in Quarter Sessions assembled, or on requisition so to do from the High Sheriff of any county, that such other places as His Majesty shall think fit shall be additional Polling Places for taking the Poll at the contested Election of a Knight or Knights to serve in Parliament for any such county, riding, parts or divisions of a county; and every such direction or order for creating additional Polling Places shall be certified under the hand of one of the Clerks in ordinary of His Majesty's Privy Council, and when so certified shall be published in The *London* Gazette; and every such Direction or Order when so published in The *London* Gazette, shall have the like power and effect as if the same had been made by the authority of Parliament; and all Sheriffs, Clerks of the Peace, Returning Officers and other persons concerned shall pay due attention to the same.

SCHEDULES to which this ACT refers.

Schedule I.

FORMS FOR COUNTIES.

No. 1.

WARRANT of the CLERK of the PEACE to the HIGH CONSTABLE.

County of } TO the High Constable [*or*, to one
to wit. } of the High Constables of the Hundred, or other like
district] of within the said County.

You are hereby required to do as follows:

First, Within Ten days after the receipt of this Warrant you are to make out your precepts (the printed Forms of which are herewith sent to you) to the Overseers of the Poor of the several Parishes and Townships within your Constablewick; and you are within those Ten days to deliver one of your said precepts to the Overseers of the Poor of every such Parish and Township, together with a sufficient number of the printed Forms (herewith also sent to you), of the Notices and Lists, and of the Copies of such parts of the Register of Voters as relates to the Parish or Township of those Overseers, for their use; and if you find that the number herewith sent to you is not sufficient for all the places within your Constablewick, you are to apply to me for more.

Secondly.—On the Twenty-ninth day of August next, you are to receive from the Overseers of every Parish and Township within your Constablewick a copy of the List of Claimants in such Parish or Township, a copy of the part of the Register relating to such Parish or Township, and a copy of the List of Persons objected to as Voters therein, together with the original Notices of Objection; and immediately after receiving the same, you are to deliver all such Copies of Lists, parts of the Register and Notices of Objection to the Clerk of the Peace.

Thirdly.—Immediately after receiving Notice from the Clerk of the Peace of the times and places of the holding of the Courts for revising the Lists of Voters, you are to cause notice thereof to be fixed up in some public and conspicuous situation at every place within your Constablewick appointed for the holding of any such Court; and you are also to give Notice to the Overseers of every Parish or Township within your Constablewick of the time and place of holding the Court for revising

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revising the List of such Parish or Township, requiring them to attend the same.

Fourthly.—You are to attend the Courts to be held for revising the Lists of any Parish or Township within your Constablewick.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand, at in the said County, the day of

Clerk of the Peace for the said County, [Riding, &c.]

No. 2.

PRECEPT of the HIGH CONSTABLE to the OVERSEERS.

County of to wit. } TO the Overseers of the Poor of the Parish of [*or*, of the Township of]

By virtue of a Warrant from the Clerk of the Peace of the said County [Riding, &c.] unto me directed, you are hereby required to do as follows:

First.—On or before the Twentieth day of June next, you are to cause to be fixed on or near the outer doors of all the Churches and Chapels within your Parish [*or*, Township], or if there be no Church or Chapel therein, then to be fixed in some public or conspicuous situation within the same, a Notice (printed Forms of which are herewith sent), marked having first signed the same.

Secondly.—On or before the Thirty-first day of July next, you are to make out an alphabetical List of all persons who, on or before the Twentieth of July then last past, shall have delivered or transmitted to you their claims as Voters for the County [Riding, &c.], in which your Parish [*or*, Township] lies, in respect of any property situate wholly or in part within your Parish [*or*, Township]; and in making out such List, you are to write or cause to be written the christian name and surname of every such person at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the Property, and the name of the occupier, according as the same are stated in the claim in the proper columns of the printed Form or List herewith sent. If you have reasonable cause to believe that any person so claiming, or that any person who is upon the part of the Register for your Parish [*or*, Township] herewith also sent, is not entitled to have his Name on the new Register about to be made, you are to add the word "objected" opposite his name in the margin of the List, or in the margin of the part of the Register; and you are also to add the word "dead" opposite the name of any person in the margin of such part of the Register whom you shall have reasonable cause to believe to be dead. Having done thus, you are to sign the said List of

Claimants, and to cause a sufficient number of Copies of such List to be written or printed, and then you are to cause one of such Copies of the said List, and also one Copy of the part of the said Register to be fixed on or near the outer doors of every Church or Chapel within your Parish [*or*, Township], or if there be no Church or Chapel there, then to be fixed in some public or conspicuous place situate within the same, on the Two Sundays next after the Thirty-first day of July next.

Thirdly.—You are to keep a Copy of such List of Claimants, and a Copy of such part of the Register, to be perused by any Person without payment of any Fee, at all reasonable hours during the Two first weeks of August, after the List shall have been made; and you are also to cause to be written or printed, Copies of the said List of Claimants, to be delivered to any person applying for the same on payment of a reasonable price for such Copy.

Fourthly.—If you shall have added the word "objected" opposite the name of any Person in the List of Claimants, or in the part of the Register, you must on or before the Twenty-fifth day of August, give such person a notice in writing according to the Form numbered (herewith sent); and in such Notice must be stated the grounds of objection, and it must also be signed by you, or one of you. If the Place of Abode of the Person objected to, as described in the List or part of the Register be not within your Parish [*or*, Township], you may send the Notice by the post on or before the Twenty-fifth day of August, directed to him at the Place of Abode stated in the List or part of the Register, but it must be sent free of postage, or the postage thereof must be paid.

Fifthly.—Immediately after the Twenty-fifth day of August next, you are to make out a List according to the Form numbered (herewith sent), containing the name of every Person against whom a Notice of Objection shall have been given to you, or any one of you, on or before that day; and you are to cause copies of such List to be fixed (in the same Places as the other List) on the Two Sundays next preceding the Fifteenth day of September next; and you are to keep Copies of such List of Persons objected to, to be perused by any person without payment of any fee, at all reasonable hours during the Ten days next preceding the Fifteenth day of September next; and you are to deliver a Copy of such List to any person requiring the same, on payment of One Shilling and Sixpence for each Copy.

Sixthly.—On the Twenty-ninth day of August next you are to deliver to the High Constable of the Hundred [*or*, like District] wherein your Parish [*or*, Township] is situate, a Copy of the List of Claimants, a Copy of the part of the Register, and also a Copy of the List of Persons objected to, together with the original Notices of Objection.

Seventhly.—You are to attend the Court to be held for revising the Lists relating to your Parish [*or*, Township]; and you are to deliver to the

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the Barrister or Barristers holding such Court, the original Notices of Claim, and the List of Claimants, and the List of Persons objected to, so made out by you as aforesaid.

If you omit any of these matters, you will be subject to certain Penalties. Given under my hand this day of

High Constable.

No. 3.

NOTICE to be given by the OVERSEERS.

WE hereby give Notice, That all persons entitled to vote in the election of a Knight or Knights of the Shire for the County [*or*, for the Riding, &c.] of in respect of any property situate wholly or in part within this Parish [*or*, Township] who are not upon the Register of Voters now in force, or who being upon the Register shall not retain the same qualification, or continue in the same place of abode as described in such Register, are hereby required to deliver or transmit to us, or any one of us, a Notice in writing by them signed of their claim as such Voters according to the Form hereunder set forth. Any person who is upon the present Register may also make his claim, if he thinks fit; but it is not necessary that he should do so if he has the same qualification and place of abode as now described in the Register. Dated this day of

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish [*or*, Township] of

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No. 4.

FORM of NOTICE of CLAIM to be given to the OVERSEERS.

TO the Overseers of the Parish of [*or*, Township of]

I HEREBY give you Notice, That I claim to be inserted in the List of Voters for the County of [*or*, for the Riding, Parts, or Division of the County of *as the case may be*], and that the particulars of my place of abode and qualification are below. Dated the day of in the year

(signed) *John Adams.*

Place of abode, *Cheapside, London.*

Nature of qualification, freehold house, [*or*, warehouse, stable, land, field, annuity, rent-charge, &c. *as the case may be, giving such a description of the property as may serve to identify it.*]

Where situate in this Parish [*or*, Township], *King Street.* [*If the property be not situate in any street, lane, or other like place, then say*, "Name of the property, *Highfield Farm*," *or*, "Name of the occupying tenant, *John Edwards.*"]

No. 5.

C ounty of to wit, [*or*, Riding, Parts, or Division of the County of *as the case may be.*] THE LIST of PERSONS entitled to vote in the Election of a Knight [*or*, Knights] of the Shire for the County of [*or*, for the Riding, Parts, or Division of the County of *as the case may be*], in respect of Property situate within the Parish of [*or*, Township, *as the case may be.*]

Christian Name and Surname of each Voter, at full Length.	PLACE of ABODE.	NATURE of QUALIFICATION.	Street, Lane, or other like Place in this Parish [*or*, Township] where the Property is situate, or Name of the Property, or Name of the Tenant.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the said Parish [*or*, Township.]

No. 6.

NOTICE of OBJECTION, to be given to the OVERSEERS.

TO the Overseers of the Parish of [*or*, Township, *as the case may be.*]

I HEREBY give you Notice, That I object to the name of William Ball being retained in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of] Dated the day of in the year

(signed) *A. B.* of [*Place of abode.*]

No. 7.

FORM of NOTICE of OBJECTION, to be given to Parties.

To Mr. *William Ball, Market-street, Lancaster.*

I HEREBY give you Notice, That I object to your Name being retained in the List of Voters for the County of [*or*, for the Riding, Part, or Division of the County of] on the following ground: [*here must be stated shortly the ground of objection, as that the Party objected to has no Freehold, or that he has not had the Property for a sufficient time, or that it is not of sufficient value, or that he is personally disqualified as being a minor or officer of revenue, &c.*]

Dated this day of One thousand eight hundred and

(signed) *A. B.* [*Place of abode.*]

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No. 8.

NOTICE of OBJECTION to be given by the OVERSEERS to Parties to whom they have objected in the margin of the List, or part of the Register.

To Mr. *William Ball, Market-street, Lancaster.*

TAKE Notice, That the Overseers of the Parish of [*or*, Township of] have objected to your Name being retained in the List of Voters for the County of [*or*, for the Riding, &c.] on the following ground: [*here must be stated shortly the ground of objection.*]

Dated this day of One thousand eight hundred and

(signed) *A. B.*
One of the Overseers of

No. 9.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to, as not being entitled to have their Names retained in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of]

Christian Name and Surname of each Person objected to.	PLACE of ABODE.	Nature of the supposed Qualification.	Street, Lane, or other like Place in this Parish [*or*, Township] where the Property is situate, or Name of the Property, or Name of the Tenant.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish of [*or*, Township, *as the case may be.*]

Schedule II.

FORMS FOR CITIES AND BOROUGHS.

No. 1.

PRECEPT of the RETURNING OFFICER to the OVERSEERS.

City [*or*, Borough] of in the County of [*or*, Riding, &c.] (To wit.) } TO the Overseers of the Poor of the Parish of [*or*, to the Overseer of the Poor of the Township of]

YOU are hereby required to do as follows:—First, On or before the Twentieth day of June next you are to cause to be fixed on or near the outer door of all Churches and Chapels within your Parish or Township, or if there be no Church or Chapel therein, then to be fixed in some public and conspicuous situation within the same respectively, a notice (printed Forms of which are herewith sent) marked No. 2.

Secondly.—On the Thirty-first day of July next, or within Three days then next following, you are to make out, or cause to be made out, an alphabetical List of all Persons who may be entitled to vote in the Election of a Member or Members to serve in any future Parliament for this City [*or*, Borough] in respect of the occupation of premises of the clear yearly value of Ten Pounds, situate wholly or in part within your Parish or Township; and another alphabetical List of all other Persons (except Freemen) who may be entitled to vote in the Election for this City [*or*, Borough] by virtue of any other right whatsoever; and in making out each of the said Lists you must write, or cause to be written, the christian name and surname of every such Person at full length, together with the nature of his qualification; and when any Person shall be entitled to vote in respect of any property, you must state the name of the street, lane or other description of the place where such property may be situate; and when any Person shall be entitled to vote otherwise than in respect of any property, then you must state the name of the street, lane or other description of the place of abode of such Person; and after you have made out such Lists, you must sign them, and cause a sufficient number of copies thereof to be written or printed, and then you are to cause one copy of each List to be fixed on or near the outer doors of all the Churches and Chapels in your Parish or Township, or if there is no Church or Chapel therein, then you must cause them to be fixed in some public and conspicuous situation within the same, on the Two Sundays next after such Lists shall be made out.

Thirdly.

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Thirdly.—You are to keep copies of such Lists to be perused by any person, without payment of any fee, at all reasonable hours, during the first two weeks after such Lists shall have been made; and you are to deliver copies thereof to any person applying for the same, on payment of a reasonable price for each copy.

Fourthly.—Immediately after the Twenty-fifth day of August next you are to make out two Lists; one, a List according to the Form numbered , containing the name of every person who shall have given or have caused to be given to you, or any one of you, on or before that day, his claim to have his Name inserted in the List of your Parish [*or*, Township]; and also another List, according to the Form numbered , containing the Name of every Person against whom a notice of objection shall have been given to you, or any one of you, on or before that day, as not being entitled to have his Name inserted in any List for your City [*or*, Borough]; and you are to cause one copy of each of such Lists to be fixed (in the same places as the other List), on the Two Sundays next preceding the Fifteenth day of September next.

Fifthly.—You are to keep Copies of these Lists, and you are to allow the same, and also the Notices of Objection, to be perused by any Person, without payment of any fee, at all reasonable hours, during Ten Days next preceding the Fifteenth September next; and you are to deliver a copy of each of such Lists to any Person requiring the same, on the payment of One Shilling for each Copy.

Sixthly.—On the Twenty-ninth of August next you are to deliver to the Returning Officer of your City or Borough, a Copy of the List of Voters, a Copy of the List of Persons who shall have claimed, and a Copy of the List of Persons objected to, so respectively made out by you as aforesaid.

Seventhly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [*or*, Borough], and at the opening of such Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists made out by you, and also the original Notices of Claim and of Objection.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand this day of One thousand eight hundred

(signed) *A. B.*
Returning Officer for the said Borough.

No. 2.

City [*or*, Borough] of in the County of (To wit.)

WE hereby give Notice, That no Person will be entitled to have his Name inserted in any List of Voters for this City [*or*, Borough], now about to be made in respect of the occupation of Premises of the clear yearly value of Ten Pounds, whether situate wholly or in part within this Parish [*or*, Township], unless he shall pay, on or before the Twentieth day of July next, all the Poors' Rates and Assessed Taxes which have become due from him in respect of such Premises, during the Twelve calendar months next before the Sixth April last; and all Persons who omit to make such payment will be incapable of being upon the next Register of Voters for this City or Borough. Dated this day of One thousand eight hundred

(signed) *A. B.*, *C. D.*, *E. F.* Overseers of the Parish [*or*, Township] of

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No. 3.

THE LIST of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of in respect of Property occupied within the Parish [*or*, Township] of by virtue of an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in *England* and *Wales*."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish, where the Property is situate.

(signed) *A. B.*, *C. D.*, *E. F.* Overseers of the said Parish [*or*, Township] of

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No. 4.

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No. 4.

THE LIST of all PERSONS (not being Freemen), entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of in respect of any rights other than those conferred by an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in *England* and *Wales*."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish where the Property is situate. [*If the Right of Voting does not depend on Property, then state the Place of Abode.*]

(signed) *A. B.*
C. D.
E. F.
} Overseers of the Parish of [*or*, Township] within the said City [*or*, Borough] of

No. 5.

NOTICE of CLAIM.

TO the Overseers of the Parish [*or*, Township] of

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of and that my Qualification consists of a House in Duke-street in your Parish [*or otherwise, as the case may be.*] Dated the day of One thousand eight hundred and Thirty-

(signed) *John Allen*, of [*Place of Abode.*]

No. 6.

LIST of CLAIMANTS, to be published by the OVERSEERS.

THE following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of

Christian Name and Surname of each Claimant at full length.	Nature of Qualification.	Street, Lane, or other Place in this Parish, where the Property is situate. [*If the Right does not depend on Property, state the Place of Abode.*]

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of, &c.

No. 7.

PRECEPT of RETURNING OFFICER to the TOWN CLERK.

City [*or*, Borough] of in the County of (To wit.) } TO the Town Clerk of the City [*or*, Borough] of in the County of

YOU are hereby required to do as follows:—First, On or before the Twentieth day of June next you are to cause to be fixed, on or near the outer door of the Town-hall, or if there be no Town-hall, then to be fixed in some public and conspicuous place within your City or Borough, a Notice according to the Form numbered 2. in the Schedule annexed to an Act of Parliament, intituled, "An Act for the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament for *England* and *Wales*."

Secondly.—On or before the Thirty-first day of July next, you are to make out, or cause to be made out, an alphabetical List, containing the names of all Persons who shall be upon the Register for your City or Borough as Freemen; and also the names of all Persons who shall have claimed to be inserted in the List as such Freemen according to the said Notice: and in making out such List, the christian name and surname of every Person is to be written at full length, together with the place of his Abode, as set forth in the Register or Claim respectively; and if you have reasonable cause to believe that any person

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who is upon the Register, or any person so claiming, is not entitled to have his name upon the Register as a Freeman, you are to add the word "objected" opposite the name of every such person on the margin of the List; and you are also to add the word "dead" opposite to the name of every person, in the margin of such List, whom you have reasonable cause to believe to be dead; and you are to sign such List.

Thirdly.—You are to cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within your city or borough, on the Two Sundays next after such List shall have been made; and you are to keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the Two first Weeks after such List shall have been made; and you are to cause to be written or printed copies thereof, and to deliver a copy to all persons applying for the same, on payment of a reasonable price for each copy.

Fourthly.—Immediately after the Twenty-fifth day of August next, you are to make out a List, according to the Form numbered 12 in the said Schedule II., including the name of every person against whom a notice of objection shall have been given to you on or before that day, and you are to cause a Copy of such List to be fixed in the same place as the other List on the Two Sundays next preceding the Fifteenth day of September next, and you are to keep Copies of such List, and are to allow the same, and also the notices of objection, to be perused by any Person without payment of any fee, at all reasonable hours during the Ten days next preceding the said Fifteenth day of September, and you are to deliver copies of such List, to any person requiring the same, on payment of One Shilling for each copy.

Fifthly.—On the Twenty-ninth day of August next you are to deliver to the Returning Officer of your City [*or*, Borough] a Copy of the List of Persons entitled to vote as Freemen, and a Copy of the List of Persons objected to as Freemen so respectively made out by you as aforesaid.

Sixthly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [*or*, Borough]; and at the opening of the said Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists so made out by you as aforesaid, and also the original Notices of Claim and of objection.

Given under my hand the day of
One thousand eight hundred and

A. B. Returning Officer.

No. 8.

City [*or*, Borough] of in the County of (To wit.) } NOTICE is hereby given, That all persons entitled to vote as Freemen in the Election of a Member or Members to serve in Parliament for this City [*or*, Borough], who are not upon the Register of Voters now in force, or who being upon such Register do not continue in the same place of abode as described in such Register, are to deliver or transmit to the Town Clerk of the said City [*or*, Borough] a Notice in writing by them signed, of their claim as such Freemen, according to the Form hereunder set forth. Dated this day of

A. B., Town Clerk of

No. 9.

To the TOWN CLERK of the City [*or*, Borough] of

I HEREBY give you Notice, That I claim to have my name inserted in the List made by you of Persons entitled as Freemen to vote in the Election of a Member [*or*, Members] to serve in Parliament for the City [*or*, Borough] of and that my qualification is as Freeman of and that I reside in street in this City [*or*, Borough.] Dated this day of One thousand eight hundred and

(signed) *John Allen.*

No. 10

NOTICE of OBJECTION.

To the Overseers of the Parish [*or*, Township] of
[*or*, To the Town Clerk of the City, *or*, Borough of
or otherwise, *as the case may be.*]

I HEREBY give you Notice, That I object to the Name of Thomas Bates being retained in the List of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of on the followiug ground [*here must be stated strictly the ground of objection, as hat the Party has not been rated long enough, or is not an Occupier of sufficient value, or that he is personally disqualified, &c.*] Dated this day of

(signed) *A. B.* of [*Place of Abode.*]

No. 11.

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No. 11.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Persons qualified to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of

Christian Name and Surname of each Person objected to.	Nature of the supposed Qualification.	Street, Lane or other Place in the Parish where the Property is situate. [*If the Right does not depend on Property, state the Place of Abode.*]

(signed) *A. B.*
C. D. } Overseers of, &c.
E. F.

No. 12.

THE LIST of PERSONS objected to, to be published by the TOWN CLERKS.

THE following Persons have been objected to as having no right to be retained on the List of the Freemen of the City [*or*, Borough] of [*or*, of being a Place sharing in the Election with the City [*or*, Borough] of entitled to vote in the Election of a Member [*or*, Members] for the said City [*or*, Borough.]

Christian and Surname of each Person objected to.	Place of his Abode.

(signed) *A. B.* { Town Clerk of the said City [*or*, Borough, *or*, Place.]

Schedule III.

A LIST of such of the FREEMEN of LONDON as are Liverymen of the Company of entitled to vote in the Election of Members for the City of LONDON.

Christian Name and Surname of the Voter at full length.	Street, Lane, or other description of his Place of Abode.

(signed) *A. B.*, Clerk.

No. 1.

NOTICE of CLAIM to be given to the RETURNING OFFICER or OFFICERS of the City of LONDON, and to the CLERKS of the respective Livery Companies.

To the Returning Officer or Officers of the City of *London* [*or*, To the Clerk of the Company of]

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by the Clerk of the Company of [*or, in case of Notice to the Clerk, say*, made by you] of the Liverymen of the said Company [*or, in case of Notice to the Clerk, say*, of the Liverymen of the Company of] entitled to vote in the Election of Members for the City of *London*. Dated the day of

(signed) *A. B.* {[*Place of Abode.* / *Name of Company.*]

No. 2.

LIST of CLAIMANTS, to be published by the RETURNING OFFICER or OFFICERS of the City of LONDON.

The following Persons claim to have their Names inserted in the List of Persons entitled to vote as Freemen of the City of *London*, and Liverymen of the several Companies herein specified, in the Election of Members for the City of *London*.

Christian Name and Surname of Claimants at full length.	Place of Abode.

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No. 3.

NOTICE of OBJECTION to PARTIES inserted in the LIST of the LIVERY.

To Mr. *William Baker*.

I HEREBY give you Notice, That I object to your Name being retained in the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City, and that I shall bring forward such objection at the time of revising the said List. Dated the day of

(signed) *A. B.* [*Place of Abode.*]

Schedule IV.

LIST of PERSONS expunged, to be signed by the BARRISTER.

THE following Persons have been expunged by me, from the List of the Parish of as not being entitled to have their Names inserted in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of .]

NAME.	PLACE of ABODE.	Nature of supposed Qualification.	Street, Lane or other Place where Property is situate, or Name of Property or Tenant.

(signed) *A. B.* Revising Barrister for the County of [*or*, Riding, Parts or Division of the County of .]

Registration of Voters.

A

B I L L

[AS AMENDED BY THE COMMITTEE]

FOR

The more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in *England* and *Wales*.

(*Prepared and brought in by Mr. Attorney General and Mr. Solicitor General.*)

Ordered, by The House of Commons, *to be Printed,*
2 *May* 1836.

A

B I L L

[AS AMENDED ON RE-COMMITMENT]

For the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in *England* and *Wales*.

[N. B.—*The Clauses marked* (A.) *to* (E.) *and the* Fourth Schedule, *were added by the Committee; and the Clauses marked* (F.) *to* (P.) *and* Nos. 4 & 5 of Schedule III. *were added on the Re-Commitment.*]

WHEREAS an Act was passed in the second year of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People in *England* and *Wales*:" Preamble: 2 Will. 4. c. 45.

And whereas the said Act contains divers provisions for the formation of Registers of Voters for Counties, Ridings, Parts and Divisions of Counties, and also for the formation of Registers of Voters for Cities and Boroughs:

And whereas it is expedient and necessary that some of the said provisions should be amended, and that further provisions should be made for the more effectual Registration of Persons entitled to vote in the Election of Members to serve in Parliament for *England* and *Wales*; and it is expedient for the better understanding of the Law touching such Registration that all provisions for the formation of such Registers should be consolidated into this Act;

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT all provisions in the said recited Act contained, touching and concerning the formation of the Register of Voters for any County, Riding, Parts or Division of a County, or for any

I. Certain Provisions of 2 Will. 4. c. 45, repealed.

any City or Borough in *England* and *Wales*, and touching and concerning the defraying of the Expenses to be incurred in carrying such provisions into effect, shall be and the same are hereby Repealed, except as to any such Register heretofore made, and except as to any matter or thing touching and concerning the same.

2. This Act to be deemed part of the recited Act.

And be it Enacted, That this Act, when passed, shall be deemed and taken to be part of the said recited Act, as fully and effectually as if the same were incorporated therewith.

3. CLAUSE (F.) A Court for the Revision of Lists of Voters to be established; such Court to consist of a President and other Members.

And be it Enacted, That it shall be lawful for The Speaker of the House of Commons to appoint any number of Barristers, not exceeding Twelve, of not less than years' standing, who shall form a Court for the revision of the List of Voters; and, out of the Barristers so appointed, the said Speaker shall select and appoint one of not less than years' standing to be the President of such Court; and the President, and the other Members of such Court, shall respectively hold their offices during their good behaviour; and all Vacancies which shall occur in the number of the Members of such Court, either by the death, resignation or removal of any of them, shall from time to time be filled up by the Lord High Chancellor of *Great Britain*, by the appointment, to the office or offices vacant, of a Barrister or Barristers of such standing as is hereby required for the appointment to such office or offices, by the said Speaker; and every appointment, either by the said Speaker or by the said Lord Chancellor, shall be forthwith notified in the *London* Gazette.

4. CLAUSE (G.) Members of the Court not to practise as Barristers, nor to hold office under the Crown, nor to sit in Parliament.

And be it Enacted, That no Member of the said Court shall, while he shall be such Member, practise as a Barrister, or hold any office or place of profit under the Crown; nor shall he, while such Member, nor for Eighteen calendar Months after he shall have ceased to be such Member, be capable of sitting or voting in Parliament, nor of being elected to serve in Parliament.

5. CLAUSE (H.) *Salaries of Members of the Court, and Expenses.*

And be it Enacted, That there shall be paid to the Members of the said Court, as a remuneration for their services in such their offices, the Salaries following; (that is to say) to the said President the sum of by the year; and to every one of the other Members of the said Court the sum of by the year apiece; and such Salaries, and also the necessary Expenses of the said Court, shall be paid by the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury for the time being, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, by equal quarterly payments on the day of the day of the day of and the day of in every year, together with a proportionate part of a quarter of a year, which may immediately

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diately precede the time of the death, resignation or removal of the person entitled to such salary.

6.
CLAUSE (I.) A certain number of the Members of the Court to make Circuits for the purpose of revising the Lists.

And be it Enacted, That Eight of the Members of the said Court, of which number the said President shall not be one, shall in every year make Circuits throughout *England* and *Wales*, and shall hold open Courts, in which they shall once in every year, and not oftener, revise the Lists of Voters for every county, riding, parts or division of a county, city, borough and place; and the Courts to be held for the same county, riding, parts or division of a county, city, borough or place, shall be held as nearly as possible at the same time in every successive year; and a regular rotation among the Members of the said Court, exclusive of the President, shall determine the Members by whom such Circuits shall in every year be made.

Revision of Lists for the same place to be held at the same time in every year.

7.
CLAUSE (J.) Only one Member of the Court to sit at once to revise the Lists; the same Member not to revise the Lists of the same County, &c. in successive years.

And be it Enacted, That only one of the Members of the said Court shall attend at once at any one place for the purpose of revising such Lists; and no Member shall revise the Lists for the same county, riding, parts or division of a county, city, borough or place, in Two successive years.

8.
CLAUSE (K.) President and two other Members of the Court to form a Court of Appeal.

And be it Enacted, That the President of the said Court and any Two or more of the other Members of the said Court shall form a Court of Appeal, by whom shall be heard and decided all questions of law, which may be brought before them by way of appeal from the decisions of the respective Members of the said Court upon their respective circuits; and such Appeals shall be by way of special case, which special case shall be signed by the Member of Court from whose decision the Appeal shall be brought, upon application made to him for that purpose, by any person interested in such Appeal; and the subjects of such Appeals shall be questions of law only, or questions of the admission or rejection of evidence, and not questions of fact; and no Member of the Court by whom the decision appealed from shall have been made, shall be one of the Members composing the Court, or shall be present at the Court by whom the matter of such Appeal shall be heard; and such Court of Appeal shall sit somewhere in *London* or *Westminster*, and shall be an open Court.

Appeals on questions of Law only.

9.
CLAUSE (L.) Appeals to be brought and decided within a certain time.

And be it Enacted, That no Appeal from the decision of any Members of the said Court shall be entertained, if the same shall not be lodged at such place as such Court shall from time to time direct, within after the date of such decision, nor unless such Appeal shall be brought to a hearing within after the same period; and every Appeal heard before the said Court shall be disposed of by judgment in open Court within after the hearing thereof; and the said Court shall have power, after

hearing the matter of such Appeal, to make any alterations in the List of Voters upon which the Appeal shall be brought, which their decision shall render necessary.

10. CLAUSE (M.) Court may make Rules.

And be it Enacted, That the said Court shall have the power of making Rules and Regulations for the administration of the business of the said Court, provided that such Rules and Regulations shall not be inconsistent with the provisions of this Act, and shall be approved by the Lord Chancellor for the time being, and shall be laid before the House of Commons within days after they shall have been made, if the said House shall then be sitting, or if not, then within days after the said House shall next re-assemble.

11. CLAUSE (N.) Notice to be given of the time at which the Revision of Lists for any County shall commence.

Counties.

And be it Enacted, That the President of the said Court shall, Four calendar Months at least before the time fixed for holding the first Court of Revision in any county, riding, parts or division, transmit through the Post to the Clerk of the Peace of such county, riding, parts or division, a Notice, specifying the day and the place on and at which such first Court will be held.

12. Clerk of the Peace to have Forms of Warrants, &c. printed.

Clerk of the Peace to issue his Warrant to High Constables, with Forms of Precepts, &c.

And be it Enacted, That the Clerk of the Peace for every county, riding, parts or division of a county, shall cause a number of Forms of Warrants, Precepts, Notices and Lists to be printed, according to the respective Forms numbered (1. 2. 3. 4. 5.) in the Schedule (I.) to this Act annexed, at the expense of the respective county, riding, parts or division; and shall also, within One Week after the receipt of such Notice from the President of the said Court, as aforesaid, make and cause to be delivered his Warrant, according to the Form numbered (1.) in the Schedule (I.) to this Act annexed, to the High Constable of every Hundred or other like district within such county, riding, parts or division; and shall also cause to be delivered to the said High Constable with every such Warrant, for the use of the said High Constable, and for the use of the Overseers of every parish and township within his Constablewick as hereinafter provided, a sufficient number of the said printed Forms of Precepts, Notices and Lists; and also a sufficient number of Copies of such parts of the Register of Voters for such county, riding, parts or division then in force as shall relate to every parish or township within his said Constablewick: Provided always, That in all such forms of Warrants, Precepts and Notices, contained in the Schedules referred to, blanks shall be left for the dates; in which blanks shall be inserted, as to counties, ridings, parts or divisions of counties, by the Clerks of the Peace, and as to cities and boroughs by the returning officers, such Dates as shall correspond with the provisions of this Act, reference being had to the periods fixed for the respective revisions in each year.

And

13. High Constables to issue Precepts with Forms of Notices, &c. to Overseers.

And be it further Enacted, That within Ten Days after the receipt of such Warrant of the said Clerk of the Peace, every such High Constable shall make and cause to be delivered to the Overseers of the Poor of every parish and township within his Constablewick, his Precept, according to the Form numbered (2.) in the Schedule (I.) to this Act annexed, together with a sufficient number of the said printed Forms of Notices and Lists, and of the copies of such part of the said Register as shall relate to the respective parish or township.

14. Overseers to give Notice annually, requiring Voters to send in their Claims.

And be it further Enacted, That the Overseers of the Poor of every parish and township shall, within One Week after the receipt of the Precept from the High Constable, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same respectively, a Notice in writing, according to the Form numbered (3.) in the Schedule (I.) to this Act annexed, having first signed the same, requiring all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in Parliament, in respect of any property situate wholly or in part within such parish or township, who shall not be upon the Register of Voters then in force; and also requiring all Persons so entitled as aforesaid, who being upon such Register, shall not retain the same qualification or continue in the same place of abode as described in such Register, to deliver or transmit to the said Overseers, on or before the expiration of One calendar Month from the time at which such Notice shall be so fixed, as last aforesaid, a Notice in writing by them signed of their Claim as such Voters, according to the Form numbered (4.) in the Schedule to this Act annexed, or to the like effect: Provided always, That it shall and may be lawful for any other Person so entitled to make his Claim as aforesaid, if he shall so think fit, although he shall be upon such Register.

15. Overseers to prepare Lists of Claimants.

And be it further Enacted, That the Overseers of the Poor of every parish and township, shall, within Ten Days next after the end of such One calendar Month as last aforesaid, make out or cause to be made out, according to the Form numbered (5.) in the Schedule (I.) to this Act annexed, an Alphabetical List of all Persons who on or before the expiration of such One calendar Month shall have claimed as aforesaid to be inserted in such List as Voters for the county or for the riding, parts or division of the county wherein such parish or township lies, in respect of any property situate wholly or in part within that parish or township; and in every List so to be made as aforesaid, the Christian Name and Surname of every Claimant shall be written at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the property, or the Name of the occupying Tenant thereof, as the same are respectively stated in his

Overseers to have power of objecting to any Name either on such Lists or on the part of the Register of Voters for the time being relating to their Parish.

claim to vote; and the said Overseers, if they shall have reasonable cause to believe that any Person so claiming as aforesaid, or any Person who is upon that part of the Register of Voters then in force which relates to their parish or township, is not entitled to have his name upon the Register then next to be made for the county or for the riding, parts or division of the county in which their parish or township is situate, shall add the word "Objected" opposite the name of every such Person on the margin of such List, or on the margin of such part of the said Register; and the said Overseers shall also add the word "Dead" opposite the name of any Person in such part of the said Register, whom they shall have reasonable cause to believe to be dead; and the said List of Claimants being so made as aforesaid, they the said Overseers shall sign the same, and shall cause a sufficient number of copies of such List to be written or printed; and shall cause to be fixed one copy of such List, and also one copy of such part of the said Register, on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same respectively, on the first Two Sundays in August; and the said Overseers shall likewise keep a copy of such List, and a copy of such part of the said Register, and also the original notices of claim, to be perused by any person without payment of any fee, at all reasonable hours, during the Fourteen Days next after such List shall have been made, and shall cause to be written or printed copies of the said Lists of Claimants, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each copy, such price not to exceed the rate of Three-halfpence for every ninety words.

To have power to add the word "Dead" against any Name in such Lists or part of Register.

Overseers to fix Copies of such Lists and of the part of the Register of Voters relating to their own Parish on Churches and Chapels;

To keep Copies of Lists for Inspection and Sale.

16. Provision as to Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, which shall have no Overseers of the Poor, shall, for the purpose of making such Claims, and making out such List as aforesaid, be deemed to be within the parish or township adjoining thereto, such parish or township being situate within the same county, or the same riding, parts or division of a county, as such precinct or place; and if such parish or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being; and the Overseers of the Poor of every such parish or township shall insert in the List for their respective parish or township, the Names of all Persons who shall claim as aforesaid to be inserted therein as Voters in the election of a Knight or Knights of the Shire for the county, or for the riding, parts or division of the county in which such precinct or place as aforesaid lies, in respect of any lands or tenements situate wholly or in part within such precinct or place.

And

17. The List of Claimants in any Parish, and the part of the Register relating to that Parish, to be deemed the List of Voters of such Parish.

And be it Enacted, That the List of Claimants (if any) so to be made out by the Overseers of every parish or township as aforesaid, and the part of the Register for the time being relating to that parish or township shall be deemed to be the List of Voters of such parish or township for the county, riding, parts or division of a county within which such parish or township may be situate; and every Person whose name is upon the part of the said Register relating to such parish or township shall be deemed to have had his name inserted in the List of Voters of such parish or township by the said Overseers thereof.

18. Any Person on the Register for the time being may object to any other Person named in the List of Voters as not entitled to be upon the List.

And be it further Enacted, That every Person who shall be upon the Register for the time being for any county, or for any riding, parts or division of a county, may object to any Person whose name shall appear either upon any such List of Claimants so to be made as aforesaid, for such county, riding, part or division of a county, or upon any part of the said Register, as not having been entitled, at the expiration of the period allowed for making out such List, to have his name inserted in the List of Voters for the parish or township to which such List or such part of the Register as shall contain his name may relate; and every Person so objecting, save and except Overseers objecting, in the manner hereinbefore mentioned, shall, within Four Weeks next after the expiration of the time allowed for making out the Lists, give or cause to be given to the Overseers of the Poor of the parish or township to which the List or the part of the Register containing the name of the Person so objected to may relate, a Notice in writing, according to the Form numbered (6.) in the Schedule (I.) to this Act annexed or to the like effect; and the Person so objecting, and the said Overseers, or one of them, in case of their objecting as aforesaid, shall, within the same Four Weeks in every year, give to the Person so objected to, a Notice in writing, according to the Forms numbered (7.) and (8.) respectively in the Schedule (I.) to this Act annexed, or to the like effect, either by delivering the same to him or by leaving the same, or by causing the same to be left or delivered at his place of abode as described in such List or part of the said Register, or by delivering the same, or by causing the same to be delivered to the occupying Tenant of the qualifying premises described in such List or part of the said Register: Provided always, That every such Notice of objection shall be signed by the party so objecting as aforesaid, and in case of objection by Overseers, such Notice of objection shall be signed by the said Overseers, or one of them, and the ground or grounds of objection shall be stated therein; and that wherever the place of abode of the Person objected to as described in the List or part of the said Register, shall not be in the parish or township to which such List or part of the said Register may relate, it shall be sufficient, if the Notice so required to be given to him as aforesaid shall, within the same Four Weeks, be sent by the Post, free of postage, or the sum chargeable as postage for the same being first paid, directed to him at his place of abode, as described in such List or part of the said Register.

Notice of Objection to be given to the Overseers

Notice of Objection in all cases to be given to the Party.

Grounds of Objection to be stated in the Notice.

Notice in certain cases may be sent by the Post.

Counties.

19. Lists of Persons objected to, to be published.

And be it Enacted, That the said Overseers shall include the names of all Persons so objected to in a List according to the Form numbered (9.) in the said Schedule (I.) to this Act annexed, and shall cause copies of such List to be fixed on or near the outer doors of all Churches and Chapels within their parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the Two Sundays next after the expiration of the said period of Four Weeks; and the said Overseers shall also keep a copy of such List to be perused by any Person without payment of any fee, at all reasonable hours during the Fourteen Days next after the expiration of such period of Four Weeks; and shall deliver a copy of such List to any Person requiring the same on payment of a reasonable price for each copy, such price not to exceed the rate of Three-halfpence for every ninety words.

20. Lists, &c. to be delivered to High Constables to be forwarded to the Clerk of the Peace.

And be it Enacted, That within Four Days next after the expiration of such period of Four Weeks, as aforesaid, the Overseers of every parish or township shall deliver to the High Constable of the hundred or other like district wherein the said parish or township is situate, a copy of the List of Claimants so made out as aforesaid; and a copy of the part of the said Register relating to their parish or township, and also a copy of the List of Persons objected to so made out as aforesaid, and the original notices of objection and the original notices of claim so given to them as aforesaid; and such High Constable shall forthwith deliver all such copies of Lists and of the parts of the Register, and all such original Notices of objection and of claim, to the Clerk of the Peace of the county or of the riding, parts or division of county respectively, and such Clerk of the Peace shall thereupon make out a List of the Number of Persons objected to by the Overseers and by other Persons in each parish and township, and an Abstract of the grounds of objection stated in the respective Notices, and shall immediately afterwards transmit the said copies of Lists, and of parts of the said Register, and also the abstract, so made out by him, to the President of the said Court, in order that proper arrangements may be made as to the times and places for revising such Lists.

21. President to give notice of the times and places of holding such Court to Clerk of the Peace.

Clerk of the Peace to give notice thereof by Advertisement, and to the High Constables.

High Constables to give public notice and notice to the Overseers.

And be it further Enacted, That the President of the said Court shall, Ten Days at the least before the holding of the first Court of Revision as aforesaid, give Notice to the Clerk of the Peace of the several times and places at which the said Courts shall be holden; and the said Clerk of the Peace shall cause public notice thereof to be given by advertisement in some of the Newspapers circulating within the said county, riding, parts or division, and shall also cause notice thereof to be given to the High Constable of every hundred or other like district within the same respectively; and the said High Constable shall cause a Notice thereof to be fixed up in some public and conspicuous situation at every place within his said

Constablewick

Constablewick appointed for the holding of any such Court, and shall give Notice to the Overseers of every parish and township within his Constablewick of the time and place of holding the Court for revising the List of such parish and township, requiring them to attend the same.

22. Clerk of the Peace to attend the first Court, and High Constables and Overseers to attend the Courts for their respective Districts and Parishes.

And be it Enacted, That the Clerk of the Peace at the opening of the first Court of Revision to be so holden as aforesaid, shall deliver or cause to be delivered to the Member of the said Court then present the several copies of Lists and parts of the Register, and the original Notices of objection and of claim which shall have been delivered to such Clerk of the Peace by the respective High Constables as aforesaid; and the High Constable of every hundred or other like district shall attend the Court or Courts to be held for revising the List relating to any parish or township within his Constablewick, and the Overseers of every parish and township shall attend the Court to be held for revising the Lists relating to their parish or township, and shall deliver to such the Member of the said Court the List of Claimants, and the List of Persons objected to, so made out by them respectively as aforesaid; and the said High Constables and Overseers shall answer upon oath all such questions as such Member of the said Court may put to them or any one of them touching any matter necessary for such revision as aforesaid.

23. Powers of Barrister as to expunging Names from Lists.

And be it Enacted, That every Member of the said Court who shall revise the List of Voters of any Parish or Township shall expunge therefrom the Name of every Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such Person was entitled, at the expiration of the time allowed for making such List, to be inserted in such List in respect of his qualification as stated in such List; or in case it shall be proved that such Person was then incapaciatted by law or by any statute from voting in the election of Members to serve in Parliament; and shall also expunge as aforesaid th eName of every Person whose qualification as stated in the said List shall appear upon the face thereof to be necessarily insufficient to entitle the said Person to be inserted in such List, and also the Name of every Person who shall be proved to him to be dead; and shall correct any mistake which shall be proved to him to have been made in the said List as to any of the particulars required by this Act to be inserted therein; and wherever the Christian Name of any Person, or his place of abode, or the nature of his qualification, or the local or other description of his property, or the Name of the occupying Tenant thereof, as the same are respectively required by this Act to be inserted in such List, be wholly omitted from the said List, such Member of the said Court shall expunge the Name of every such Person from such List, unless the matter or matters so omitted shall be supplied to the satisfaction of such Member of the said Court before he shall have completed the revision thereof,

Power to rectify mistakes and supply omissions.

in which case he shall then and there insert the same accordingly: Provided always, That no Person's Name shall be expunged as aforesaid except in case of the statement of an insufficient qualification, or of his death, or of any such omission as hereinbefore mentioned, unless the Overseers or other Party who shall have objected to such Person shall appear before the said Member of the said Court, by themselves or himself, or by some one on their or his behalf, in support of such objection, nor unless the said Member of the said Court shall be satisfied that the respective Notices of objection shall have been duly given: Provided also, That the said Member of the said Court shall not inquire into or allow any objection to be inquired into, the ground whereof shall not have been stated in the said respective Notices.

Mode of proceeding in cases of objected Votes.

24. Power to insert in Lists the Names of Claimants omitted by the Overseers on proof of due claim and qualification.

And be it Enacted, That if it shall happen that any Person who shall have given to the Overseers of any parish or township due notice of his claim to have his Name inserted in the List of Persons entitled to vote in the election of a Knight or Knights of the Shire, shall have been omitted by such Overseers from such List, it shall be lawful for the Member of the said Court, upon the revision of such List, to insert therein the Name of the Person so omitted, in case it shall be proved to the satisfaction of such Member of the said Court that such Person gave due notice of his claim to the said Overseers, and that he was entitled, at the expiration of the period allowed for making such List, to be inserted in the List of Persons entitled to vote in the election of a Knight or Knights of the Shire for the county, or for the riding, parts or division of the county wherein the parish or township of such Overseers may be situate, in respect of the qualification described in such Notice of claim.

25. Voters residing out of the Polling District to which the Parish wherein their qualification is situate belongs, may vote in another Polling District on making a claim before the Revising Barrister.

AND whereas it was enacted by the said recited Act, that at every contested Election for any county, riding, parts or division of a county, Booths for taking the Poll at the principal place of Election, and also at each of the Polling Places for such county, riding, parts or division, should be erected as therein mentioned, and that no Person should be admitted to vote at any such Election in respect of any property situate in any parish, township or place, except at the Booth allotted for such parish, township or place; and if no Booth should be allotted for the same, then at any of the Booths for the same district: And whereas it is expedient that certain Voters should be admitted to vote elsewhere than at the Polling Place of the district wherein their qualification may be situate; BE it therefore Enacted, That wherever the place of abode of any Voter for any county, riding, parts or division of a county, as stated in the List of Voters of any parish or township within the same, shall not be within the Polling District of such parish or township, every such Voter whose said place of abode shall be within such county, riding, parts or division of a county respectively, shall, if duly registered

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registered in that behalf, be admitted to vote at the Polling Place of the district wherein his said place of abode may be situate; and every such Voter whose said place of abode shall not be within such county, riding, parts or division of a county shall, if duly registered in tha behalf, be admitted to vote at the Polling Place of any other district, to be by him selected; any thing in the said recited Act to the contrary notwithstanding: Provided always, That in order to be registered for that purpose, every such Voter who may be desirous of being admitted to vote at some other Polling Place than the Polling Place of the district wherein his qualification may be situate, shall make his claim to be admitted to vote at such other Polling Place before the Court for the revision of the List wherein the Name of such Voter shall appear; and thereupon the Member of the said Court of Revision then presiding, shall insert in the said List the Name of such Polling Place against the Name of such Claimant: Provided also, That if such Voter shall not personally appear before such Member of the said Court, such claim shall be made in writing signed by the said Voter, and shall be then and there verified on oath: Provided also, That every such Voter against whose Name in the Register for the time being the Name of any Polling Place shall be stated, shall not be admitted to vote elsewhere than at such last-mentioned Polling Place.

Cities and Boroughs.

26. CLAUSE (O.) Notice to be given of the time at which the Revision of the Lists for any City or Borough will commence.

And be it Enacted, That the President of the said Court shall, Four calendar Months at least before the time fixed for holding the first Court of Revison for any city or borough, transmit through the Post, to the Returning Officer of such city or borough, a Notice, specifying the day and the place on and at which such first Court will be held.

27. Returning Officer to have Forms of Precepts, &c. printed.

To issue his Precept to the Overseers and to the Town Clerk.

And be it Enacted, That the Returning Officer of every such city or borough shall cause a sufficient number of Forms of Precepts, Notices and Lists to be printed, according to the Forms numbered (1. 2. 3. 4. 6. 7.) in the Schedule (II.) to this Act annexed, at the expense of such city or borough, and shall within One Week after the receipt of such Notice from the President of the said Court as aforesaid, make and cause to be delivered to the Overseers of the Poor of every parish or township situate wholly or in part within such city or borough, or within any place sharing in the Election for such city or borough, his Precept according to the Form numbered (1.) in the Schedule to this Act annexed; and shall also within the said Week make and cause to be delivered to the Town Clerk of such city or borough, and to the Town Clerk of every place sharing in the Election for such city or borough, his Precept according to the Form numbered (7.) in the said Schedule; and the said Returning Officer shall also cause to be delivered to the said Overseers and Town Clerks with every such Precept a sufficient number of the said printed Forms of Notices and Lists.

28. Overseers to give public Notice as to the payment of Rates and Taxes by Occupiers of Premises of the yearly value of 10*l.*

And be it Enacted, That the Overseers of every such parish or township shall, within One Week after the receipt of the Precept from the Returning Officer in each year, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same, a Notice in writing according to the Form numbered (2.) in the said Schedule (II.), stating that no Person will be entitled to have his Name inserted in any List of Voters for the city or borough then next to be made, in respect of the occupation of premises of the clear yearly value of not less than Ten Pounds, situate wholly or in part within such parish or township, unless he shall pay, at or before the expiration of One calendar Month from the time at which such Notice shall be so fixed as last aforesaid, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such premises during the year ending Three calendar Months next before the expiration of the time for payment limited in such Notice; and that all Persons omitting to make such payment will be incapable of being upon the Register of Voters for the said city or borough then next to be made.

29. Overseers to have power of inspecting Tax Assessments, &c.

And be it Enacted, That the Overseers of every parish or township, for their assistance in making out the List of Voters as hereinafter mentioned, (upon request made by them or any of them at any reasonable time within Seven Weeks from the time of the receipt by such Overseers of the Precept from the Returning Officer, to any Assessor or Collector of Taxes, or to any other Officer having the custody of any duplicate or Tax Assessment for such parish or township), shall have free liberty to inspect any such duplicate or Tax Assessment, and to extract therefrom such particulars as may appear to such Overseer or Overseers to be necessary; and every such Assessor or Collector of Taxes shall, within Two Days after the expiration of the time for payment, limited in such Notice for payment as aforesaid, or having Four Days' notice from such Overseers, make out and deliver to the said Overseers a List containing the Name and place of abode of every Person who shall not have paid on or before the expiration of the time for payment limited in such Notice, the Assessed Taxes which shall have become payable from him in respect of any premises within the said parish or township during the year ending at such time as is hereinbefore in that behalf mentioned; and the said Overseers shall keep the said List to be perused by any Person without payment of any fee at all reasonable hours during the first Two Weeks after the Lists of Voters shall have been made as hereinafter mentioned.

30. Overseers to prepare Lists of Persons (other than Freemen) entitled to vote.

And be it further Enacted, That the Overseers of every such parish or township shall, Ten Days after the expiration of such period of One calendar Month as last aforesaid, make out or cause to be made out

out according to the Form numbered (3.) in the Schedule (II.) to this Act annexed, an Alphabetical List of all Persons who may be entitled to vote in the election of a Member or Members to serve in Parliament for such city or borough, in respect of the occupation of premises of the clear yearly value of not less than Ten Pounds situate wholly or in part within such parish or township, and another Alphabetical List, according to the Form numbered (4.) in the said Schedule (II,) of all other Persons (except Freemen) who may be entitled to vote in the Election for such city or borough by virtue of any other right whatsoever; and in each of the said Lists the Christian Name and Surname of every such Person shall be written at full length, together with the nature of his qualification; and where any Person shall be entitled to vote in respect of any property, then the Name of the Street, Lane or other description of the place where such property may be situate, shall be specified in the List; and where any Person shall be entitled to vote otherwise than in respect of any property, then the Name of the Street, Lane or other description of the Place of Abode of such Person shall be specified in the List; and they, the said Overseers, shall also forthwith after the making of such Lists, sign the same, and cause a sufficient number of copies of such Lists to be fixed on or near the outer doors of all the Churches and Chapels in their several parishes and townships, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the Two Sundays next after such Lists shall have been made out; and the said Overseers shall likewise keep Copies of such Lists to be perused by any Person without payment of any Fee, at all reasonable hours during the first Two Weeks after such Lists shall have been made, and shall cause to be written or printed Copies thereof, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each Copy, such price not to exceed the rate of Three Halfpence for every Ninety Words.

Copies of Lists to be fixed on Churches and Chapels.

Copies of Lists to be kept for inspection and for sale.

31. Provision for Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, having no Overseers of the Poor, and being within any city or borough, or within any place sharing in the election for any city or borough, shall, for the purpose of making out the Lists of Voters for such city or borough, be deemed to be within the parish or township adjoining thereto, and situate wholly or in part within such city or borough, or within such place sharing in the election therewith; and if such precinct or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being; and the Overseers of every such parish or township shall insert in the List for their respective parish or township the Names of all Persons who may be entitled to vote in the election of a Member or Members to serve in any future Parliament for any

such city or borough, in respect of any property occupied by such Persons within such city or borough, or within any place sharing in the election therewith; such property being situate wholly or in part within such precinct or place as aforesaid.

32. Persons omitted from the Overseers' Lists to give notice of their Claims.

And be it Enacted, That every Person whose Name shall have been omitted in any such List of Voters for any city or borough so to be made out by the Overseers as aforesaid, and who shall claim to have his Name inserted therein as having been entitled at the time appointed for making out such List, shall, within Four Weeks next after the time appointed for making out such Lists, give or cause to be given a notice in writing according to the Form numbered (5.) in the said Schedule (II.) or to the like effect, to the Overseers of that parish or township in the List whereof he shall claim to have his Name inserted; and the Overseers shall include the Names of all Persons so claiming as aforesaid in a List according to the Form numbered (6.) in the said Schedule (II.).

List of Claimants to be made.

33. Town Clerk to give a notice requiring Freemen entitled to vote to send in their claims in certain cases.

And be it Enacted, That the Town Clerk of every such city or borough shall, within One Week next after the receipt of the Precept from the Returning Officer, cause to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, then to be fixed in some public and conspicuous situation within such city or borough, a Notice in writing according to the Form numbered (8.) in the Schedule (II.), requiring all Persons entitled to vote as Freemen in the election of a Member or Members to serve in Parliament for such city or borough who shall not be upon the Register of Voters for the said city or borough then in force; and all Persons so entitled as Freemen, who, being upon such Register, shall not continue in the same place of abode as described in such Register, to deliver or transmit to the said Town Clerk, within One calendar Month next after such Notice shall be so fixed as aforesaid, a Notice in writing by them signed of their Claim as such Freemen, according to the Form numbered (9.) in the said Schedule (II.); and the Town Clerk of every place sharing in the election of any city or borough shall, within the same Week, in like manner give a like notice.

34. Town Clerks to prepare Lists of Freemen.

And be it Enacted, That the Town Clerk of every such city or borough shall, Ten Days after the expiration of such period of One calendar Month as last aforesaid, make out, or cause to be made out, according to the Form numbered (9.) in the said Schedule (II.), an Alphabetical List containing the Names of all Persons who shall be upon the Register for the time being for such city or borough as Freemen; and also the Names of all Persons who shall claim as aforesaid to be inserted in the List as such Freemen; and in every such List so to be made by the said Town Clerk, the Christian Name and Surname of every Person shall be written at full length, together with the place of his abode, as set forth in such Register or Claim to vote respectively;

tively; and the Town Clerk of every place sharing in the election for any city or borough shall, at the same time as last aforesaid, make out or cause to be made out, in the same manner, a like List of all Persons upon the said Register, or claiming as aforesaid as Freemen of such place; and every such Town Clerk, if he shall have reasonable cause to believe that any Person who is upon the said Register for the time being, or any Person so claiming as aforesaid, is not entitled to have his name upon the Register then next to be made for such city or borough as a Freeman, shall add the word "Objected" opposite to the name of every such Person on the margin of the List; and shall add the word "Dead" opposite to the name of every Person, in the margin of such List, whom such Town Clerk shall have reasonable cause to believe to be dead; and every such Town Clerk shall sign such List, and shall cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within such respective city, borough or place as aforesaid, on the Two Sundays next after such List shall have been made; and shall likewise keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the Two first Weeks after such List shall have been made; and shall cause to be written or printed copies thereof, to be by him delivered to all persons applying for the same, on payment of a reasonable price for each copy, such price not to exceed the rate of Three Halfpence for every Ninety Words: Provided always, That where there shall be no Town Clerk for such city, borough or place as aforesaid, or where the Town Clerk shall be dead or incapable of acting, all or any of the matters by this Act required to be done by and with regard to the Town Clerk, shall be done by and with regard to the Person executing duties similar to those of the Town Clerk, and if there be no such Person, then by and with regard to the Chief Civil Officer of such city, borough or place.

Town Clerks to have power of objecting to any Name in the List, and to add the word "Dead" against any Name.

Lists to be fixed on the Town Hall.

Copies of Lists to be kept for inspection and sale.

35. Persons named in the List may object to other Persons as not being entitled to be in the List.

Notices of Objection to be given to the Overseers, or in case of Persons on the List of Freemen to the Town Clerk.

And be it Enacted, That every Person whose name shall have been inserted in any List of Voters for any city or borough, may object to any other Person as not having been entitled, at the time appointed for making out such List, to have his name inserted in any List of Voters for the same city or borough; and every Person so objecting shall within Four Weeks next after the time appointed for making out such List, give or cause to be given a Notice in writing, according to the Form numbered (10.) in the said Schedule (II.), or to the like effect, to the Overseers who shall have made out the List in which the Name of the Person so objected to shall have been inserted; or if the Person objected to shall have been inserted in the List of Freemen of any city, borough or place as aforesaid, then to the Town Clerk of such city, borough or place: Provided always, That every such Notice of

Grounds of Objection to be stated in Notice.

Objection shall be signed by the Person so objecting as aforesaid, and the ground or grounds of objection shall be stated therein.

36. Lists of Persons objected to, to be made.

Such Lists, and the List of Claimants, to be fixed on Churches and Chapels.

And be it Enacted, That the Overseers shall include the names of all Persons so objected to as aforesaid in a List according to the Form numbered (11.) in the said Schedule (II.), and shall cause copies as well of the said List of Persons objected to as aforesaid, as also of the said List of Persons claiming as before mentioned, to be fixed on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no Church or Chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the Two Sundays next preceding the day appointed for holding the first Court of Revision for the City or Borough; and every Town Clerk shall include the Names of all Persons so objected to as Freemen in a List according to the Form numbered (12.) in the said Schedule (II.), and shall cause a copy of such List to be fixed on or near the door of the Town Hall, or if there be no Town Hall, then to be fixed up in some public and conspicuous situation within his respective city, borough or place as aforesaid, on the same Two Sundays; and the Overseers and Town Clerks shall keep Copies of such Lists respectively, and shall allow the same, and also the Notices of Objection so to be given as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the Fourteen Days next preceding the day so appointed for holding such first Court, and shall deliver a copy of each of such Lists to any Person requiring the same, on payment of a reasonable price for each copy, such price not to exceed the rate of Three Halfpence for every Ninety Words.

Lists of Persons objected to as Freeman to be made and fixed on Town Hall.

Copies of Lists and Notices of Objection to be kept for inspection.

37. Overseers and Town Clerks to deliver Copies of Lists to the Returning Officer.

And be it further Enacted, That the said Overseers shall, within Four Days next after the expiration of such period of Four Weeks, as aforesaid, deliver to the Returning Officer of such city or borough a copy of the List of Voters so made out by them as aforesaid, and a copy of the List of Persons who shall have claimed as aforesaid, and a copy of the List of Persons objected to as aforesaid; and every such Town Clerk shall, within the same Four Days, deliver to the said Returning Officer a copy of the List of Persons entitled to vote as Freemen so made out by him as aforesaid, and a copy of the List of Persons so objected to as Freemen as aforesaid; and the said Returning Officer shall immediately afterwards transmit to the President of the said Court copies of all such Lists as he shall so receive.

38. Freemen and Liverymen of the City of London.

And be it Enacted, That for providing a List of such of the Freemen of the City of *London* as are Liverymen of the several Companies entitled to vote in the election of a Member or Members to serve in any future Parliament for the City of *London*, the Returning Officer or

Officers

Officers of the said City shall, in every year, on or before the day which shall be Two calendar Months before the time appointed for holding the first Court of Revision for the said City, issue Precepts to the Clerks of the said Livery Companies, requiring them within Seven Days thereafter, to make out or cause to be made out, at the expense of the respective Companies, an Alphabetical List according to the Form in the Schedule (III.) to this Act annexed, of the Freemen of *London*, being Liverymen of the said respective Companies, and entitled to vote in such Election; and every such Clerk shall sign such List, and transmit the same, with Two printed Copies thereof, to such Returning Officer or Officers, who shall forthwith fix One such Copy in the Guildhall and One in the Royal Exchange of the said City, there to remain Fourteen Days; and the Clerks of the said Livery Companies shall cause a sufficient number of such Lists of Freemen and Liverymen of their respective Companies to be printed at the expense of the respective Companies, and shall keep the same to be perused by any Person, without payment of any fee, at all reasonable hours during the Two first Weeks after such Lists shall have been printed; and shall deliver to any Person applying for the same a copy of the said List, at a price not exceeding Three Halfpence for every Ninety Words; and every Person whose Name shall have been omitted in any such List of Freemen and Liverymen, and who shall in any year claim to have his Name inserted therein as having been entitled on the day on or before which such Notice is hereby required to be given by the Returning Officer of the said City as aforesaid, shall, within Four Weeks next after such day, give or cause to be given a Notice in writing, according to the Form numbered (1.) in the said Schedule (III.), or to the like effect, to the Returning Officer or Officers, and to the Clerk of that Company in the List whereof he shall claim to have his Name inserted; and the Returning Officer or Officers shall include the Names of all Persons so claiming as aforesaid in a List, according to the Form numbered (2.) in the said Schedule (III.), and shall cause such last-mentioned List to be fixed in the Guildhall and Royal Exchange of the said City on the Two Mondays next preceding the day appointed for holding such first Court as last aforesaid; and the said Returning Officer or Officers and Clerks of the said Companies shall likewise keep a copy of the Names of all the Persons so claiming as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the Fourteen Days next preceding the day appointed for holding such first Court as aforesaid; and shall deliver to any Person applying for the same a copy of the said List, at a price not exceeding Three Halfpence for every Ninety Words; and every Person who shall object to any other Person as not having been entitled on the day on or before which such Notice is so required to be given by the Returning Officer of the said City as aforesaid, to have his Name inserted in any such Livery List, shall, within the same Four Weeks as last aforesaid, give to such other Person, or leave

at his usual place of abode a Notice in writing, according to the Form numbered (3.) in the said Schedule (III.), or to the like effect; and a Notice to the said Returning Officer, according to the Form numbered (4.) in the said Schedule (III.), or to the like effect; and the said Returning Officer shall include the names of all Persons so objected to in a List according to the Form numbered (5.) in the said Schedule (III.), and shall publish and sell the said List at a price not exceeding Three Halfpence for every Ninety Words; and in the City of *London* the Returning Officer or Officers shall take the poll or votes of such Freemen of the said City, being Liverymen of the several Companies, as are entitled to vote at such Election in the Guildhall of the said city; and the said Returning Officer or Officers shall not be required to provide any booth or compartments, but shall appoint or take One Poll for the whole number of such Liverymen at the same place.

39. Courts to be held; and Notice thereof given to the Returning Officer, who is to publish the same.

And be it Enacted, That a Court or Courts for the revision of the Lists of Voters for every City and Borough shall be held in every year, not only within such city or borough, but also within every place sharing in the election for such city or borough; and the Returning Officer of every city and borough shall, in every year, not more than Fifteen nor less than Ten Days before the day appointed for holding the first Court, for the revision of the Lists of Voters for his city or borough, cause a Notice thereof to be fixed up on the outer doors of all Churches and Chapels within such city, borough or place, and on the outer door of the Town Hall of such city, borough or place respectively, or if there be no Church or Chapel or Town Hall therein, then to be fixed up in some public and conspicuous place within the same respectively.

40. Returning Officer, Town Clerks and Overseers of the present and past year to attend the Courts.

And be it further Enacted, That the Returning Officer of every such city or borough, and the Town Clerk of every such city or borough or place sharing in the election therewith, and the several Overseers for the time being of every parish or township within every such city, borough or place as aforesaid, and also such of the Overseers thereof for the year then last past, as shall at the time of the holding of such Court be resident within such city or borough, and in the City of London the Clerks of the several Livery Companies and the Ward Beadles of such city, shall attend the Court to be holden before any Member of the said Court for every such city, borough or place as aforesaid, and shall answer, upon Oath, all such questions as such Member of the said Court may put to them, or any of them, touching any matter necessary for revising the Lists of Voters; and the said Overseers and Town Clerks respectively, and in case of the City of *London* the Returning Officer of the said City, shall, at the opening of the said Court, deliver to the Member of the said Court there presiding, the several Lists so made out by them respectively as aforesaid, and also the original Notices of Claim, and the original Notices of Objection, so given to them as aforesaid; and the said Overseers shall also produce at the said Court all Rates made for

for the relief of the Poor of their respective parishes or townships, during the Eighteen Months preceding the time at which such Court shall be held; and every such Member of the said Court shall have power to require any Assessor, Collector of Taxes, or other Officer having the custody of any Duplicate or Tax Assessment, or any Overseer or Overseers, or other Person, having the custody of any Poor Rate, to produce the same respectively before him at any Court to be held by him for the purpose of assisting him in revising the Lists to be by him revised in pursuance of this Act.

41. Powers of Barrister to insert and expunge Names.

And be it Enacted, That every Member of the said Court who shall revise any List of Voters for any City or Borough, shall insert in such List the Name of every Person omitted therefrom, who shall be proved to the satisfaction of such Member of the said Court to have given due Notice of his Claim to be inserted in any such List of Voters for such city or borough, and to have been entitled, at the expiration of the time allowed for making out such List, to have his Name inserted therein in respect of the qualification described in such Claim; and such Member of the said Court shall expunge from the List the name of every Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such Person was entitled, at the expiration of the time allowed for making out such List, to have his Name inserted in the List of Voters for the said city or borough, in respect of the qualification described in such List; or in case it shall be proved to the satisfaction of such Member of the said Court that such Person was then incapacitated by law or by any statute from voting in the election of Members to serve in Parliament, and shall also expunge the name of every Person who shall be proved to him to be dead; and such Member of the said Court shall correct any mistake which shall be proved to him to have been made in any such List as to any of the particulars required to be inserted in such Lists; and wherever the Christian Name, or the place of Abode, or the nature of the Qualification, or the local description of the Property of any Person who shall be included in any such List, shall be wholly omitted in any case where the same is by this Act directed to be specified therein, such Member of the said Court shall expunge the Name of every such Person from such List, unless the matter or matters so omitted be supplied to the satisfaction of such Member of the said Court before he shall have completed the revision of such List, in which case he shall then and there insert the same in such List: Provided always, That no Person's Name shall be expunged as aforesaid except in case of his death, or of any such omission as hereinbefore mentioned, unless the Party who shall have objected to such Person shall appear before such Member of the said Court, by himself or by some one in his behalf, in support of such objection, or in default of such appearance, some other Person, whose Name shall be in some List of Voters for the said city or borough,

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shall then and there appear to support such objection, and shall declare, by writing by him signed and delivered to such Member of the said Court, that he is willing to be deemed to be the party objecting in the place and stead of the party who shall have given the Notice of Objection as aforesaid, nor unless such Member of the said Court shall be satisfied that the Notice of Objection shall have been duly given as is hereinbefore required in each of the said cases: Provided also, That such Member of the said Court shall not inquire into, or allow any Objection to be inquired into, the ground whereof shall not have been stated in the said Notice: Provided also, That in the case of Freemen no Member of the said Court who shall revise the List of Voters shall have power to question the title of any Freeman as such whose title to be on the Roll of Freemen could not be questioned by *quo warranto.*

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42. Power of Revising Barristers to adjourn their Courts, administer Oaths, &c.

And be it Enacted, That every Member of the said Court holding any Court under this Act as aforesaid shall have power to adjourn the same from time to time and from any one place to any other place or places within the same county, riding, parts or division, or within the same city or borough, or within any place sharing in the election for such city or borough, but so as that no such adjourned Court shall be held more than days after the time of the adjournment thereof, or of the first of such adjournments, if there shall be more than one; and every such Member of the said Court shall have power to administer an oath (or, in the case of a Quaker or Moravian, an affirmation) to all Persons making objection to the insertion or omission of any Name in any of such Lists as aforesaid, and to all Persons objected to or claiming to be inserted in any of such Lists, or claiming to have any mistake corrected or any omission supplied in any of such Lists, and to all Witnesses who may be tendered on either side; and that if any Person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be deemed guilty of Perjury, and shall be punished accordingly; and at the holding of such respective Courts, excepting only the Court of Appeal as aforesaid, the Parties shall not be attended by Counsel; and every such Member of the said Court shall upon the hearing in open Court finally determine upon the validity of such claims and objections, and shall for that purpose have the same powers, and proceed in the same manner (except where otherwise directed by this Act) as the Returning Officer of any county, city or borough, according to the laws and usages now observed at elections; and such Member of the said Court shall in open Court write his Initials against the Names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected or any omission supplied, or the name of any polling place inserted, and shall sign his Name to every page of the several Lists so settled.

And

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And be it Enacted, That the Lists of Voters for each county, or for the riding, parts or division of each county so signed as aforesaid by any Member of the said Court, shall be forthwith transmitted by him to the Clerk of the Peace of the county, riding or parts for which such Member of the said Court shall have acted; and the Clerk of the Peace shall keep the said Lists among the Records of the Sessions, arranged with every hundred in alphabetical order, and with every parish or township within such hundred likewise in alphabetical order, and shall forthwith cause the said Lists to be fairly and truly copied in the same order, in a book to be by him provided for that purpose; and shall prefix to every name so copied out its proper number, beginning the numbers from the first name, and continuing them in a regular series down to the last name, and shall in every year complete and deliver such book on or before the expiration of Three calendar Months next after the revision of the Lists of Voters for his county, riding, parts or division shall have commenced, to the Sheriff of the County or his Under Sheriff, who shall safely keep the same, and shall at the expiration of his office deliver over the same to the succeeding Sheriff or his Under Sheriff; and the Lists of Voters for each city or borough so signed as aforesaid by any such Member of the said Court, shall be forthwith delivered by him to the Returning Officer for such city or borough, who shall safely keep the same, and shall cause the said Lists to be fairly and truly copied in a book to be by him provided for that purpose, with every name therein numbered according to the directions aforesaid; and shall in every year cause such book to be completed on or before the expiration of Three calendar Months next after the revision of the Lists of Voters for his city or borough shall have commenced, in every year, and shall deliver over such book, together with the Lists, at the expiration of his office, to the person succeeding him in such office; and every such book to be so completed on or before the expiration of such period of Three calendar Months in every year, shall be the Register of Electors to vote at any election which shall take place between the expiration of the same period of Three calendar Months, in the year wherein such respective Register shall have been made, and the expiration of the like period in the succeeding year: Provided always, That the Member of the said Court who shall revise any List of Voters shall furnish the Clerk of the Peace in Counties, and the Returning Officer in Boroughs respectively (as the case may be) with a List of the Persons whose claims to vote he has not allowed, and the said Clerk of the Peace and Returning Officer shall preserve such List of disallowed Claimants, and shall enter the same in a separate book, to be by them provided for that purpose.

43. County Lists to be transmitted to Clerk of the Peace, and to be by him copied into a Book.

Borough Lists to be delivered to the Returning Officer, and to be by him copied into a Book.

Such Books to be the Register of Voters for One Year.

AND whereas it is expedient to make provision for compelling the attendance of Witnesses before the Courts of Revision for the purpose of being examined touching any matters cognizable before such Courts;

44. Persons may be subpœnaed as Witnesses before the Courts of Revision.

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BE it therefore Enacted, That for the purpose of compelling the attendance of Witnesses before any Court, to be holden for revising the List of Voters for any county, riding, part or division, the Clerk of the Peace for such county, riding, part or division, or any Member of the said Court who shall revise the said List, and for the purpose of compelling the attendance of Witnesses before any Court, to be holden for revising the List of Voters for any city, borough, town or place, returning Members or a Member to Parliament, the Returning Officer of such city, borough, town or place, or any Member of the said Court who shall revise the List of Voters for such city, borough, town or place, shall and they are hereby respectively required, upon the application of any Party requiring the same, to issue a Summons under his hand, calling on any Person or Persons to be therein named, to attend before any Court of Revision to be held under the authority of this Act, to be examined touching any matter cognizable before such Court.

45. Proceedings against Persons subpœnaed who shall not attend the Court.

And be it further Enacted, That the service of every such Summons upon any Person shall be good and effectual to compel the attendance of such Person to be examined before such Court in every part of *England* and *Wales*; and in case the Person served shall not appear according to the exigency of such Summons, it shall be lawful for the Member of the said Court before whose Court such Person shall have been by such Summons required to attend, to transmit a Certificate of such default under his hand to the Court of King's Bench in *England*, and such last-mentioned Court shall and may proceed against and punish such Person so having made such default, in like manner as they might have done if such Person had neglected or refused to appear in obedience to a Subpœna issued out of such Court: Provided always, That the said last-mentioned Court shall not in any case proceed against or punish any Person for having made default by not appearing to give evidence in obedience to any such Summons, unless it shall be made to appear to such Court that a reasonable and sufficient sum of money to defray the expenses of coming and attending to give evidence, and of returning from giving evidence, had been tendered to such Person at the time when such Summons was served upon such Person.

Counties.

46. Power to fine High Constables for neglect of duty.

And be it Enacted, That if any High Constable within the meaning of this Act shall wilfully refuse or neglect to make and deliver his Precept as hereinbefore directed to the Overseers of any parish or township within his constablewick, or shall wilfully refuse or neglect to deliver with such Precept such a number of the Forms of Notices and Lists, and of the copies of the part of the Register relating to such parish or township, as he shall *bonâ fide* deem sufficient, or to deliver such additional number thereof as may be demanded of him by any Overseer as aforesaid, provided he has such additional number in his possession, or in case of his not so having them, shall refuse or neglect to apply forthwith

with to the Clerk of the Peace for such additional number, and to deliver the same to the Party so demanding the same within Three Days after his receipt thereof, or shall wilfully refuse or neglect to deliver to the Clerk of the Peace, as hereinbefore directed, the Copies of the Lists of Claimants, and of the Persons objected to, the Copies of the parts of the Register, and the original Notices of Objection by him received from the Overseers of the several parishes or townships within his constablewick, immediately after he the said High Constable shall have so received the same, or shall wilfully refuse or neglect (immediately after he shall have received from such Clerk of the Peace any Notice of the times and places of the holding of the Courts for the revision of the Lists of Voters for the county, riding, parts or division of a county as aforesaid) to cause a Notice thereof to be fixed up in some public and conspicuous situation at every place within his constablewick appointed for the holding of any such Court, or to give notice to the Overseers of the Poor of every parish or township within his constablewick of the time and place of holding such Court for the revising the List of such parish or township, or shall wilfully refuse or neglect to attend at every such Court holden for revising the List of any parish or township within his constablewick, every such High Constable offending in any one of the cases aforesaid, shall for every such offence be liable to pay a sum of money by way of Fine, not exceeding Five Pounds nor less than Twenty Shillings, to be imposed by and at the discretion of any Member of the said Court holding any Court for the revision of the List of any parish or township as aforesaid within the constablewick of such High Constable.

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47. Power to Barristers to fine Overseers for neglect of duty.

And be it Enacted, That if any Overseer of any parish or township within the meaning of this Act, shall wilfully refuse or neglect to make out any List, or to cause to be fixed up any Notice or List, or copy of the part of the Register of Voters relating to his parish or township, at the time and in the manner required by this Act, or shall wilfully refuse or neglect to deliver to the High Constable the Copies of the Lists of Claimants and of persons objected to, and the Copies of the part of the Register of the original notices of objection as required by this Act, or shall wilfully refuse or neglect to deliver to the returning officer of the City or Borough the Copies of the several Lists as required by this Act, or shall wilfully refuse or neglect to attend the Court for revising the List of Voters of his parish or township, or shall wilfully refuse or neglect to deliver to the Barrister or Barristers holding any such Court, the several Lists so to be made out by them as aforesaid, and the original Notices of Claim and of Objection as respectively required by this Act, every such Overseer offending in any of such cases as aforesaid, shall, for every such offence, be liable to pay by way of fine, a sum of money not exceeding Five Pounds nor less than Twenty Shillings, to be imposed by and at the discretion of any

Member of the said Court holding any Court for the revision of any List of the parish or township of such Overseer.

48. Fines, to whom payable, and to what purpose to be applied.

And be it Enacted, That whenever any such Fine shall be imposed on any High Constable for any such Offence as aforesaid, or on any Overseer for any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any county, riding, parts or division of a county, such fine shall be paid to the use of the general rate of the county, riding, parts or division of a county in which the parish or township of such Overseer shall be situate; and wherever any such fine shall be imposed on any Overseer for any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any city or borough, such fine shall be paid to the use of the Poor's Rate of the parish or township of such Overseer; and it shall and may be lawful for any such Barrister so imposing any such fine as aforesaid, and he is hereby directed and empowered to order the Party offending to pay such fine to some Person to be by him the said Barrister authorized to receive the same, and to be applied by such Person for the use of the said county, riding, parts or division of a county, or for the use of the said parish or township, as the case may be, and such Barrister shall make his order or certificate in writing for that purpose, according to the Form, Number in the Schedule to this Act annexed, or to the like effect.

49. Power to Barrister to give Costs in certain cases to Parties claiming or objecting.

And be it further Enacted, That in the revision of any List of Voters for any county, riding, parts or division of a county, if it shall appear to the Member of the said Court holding the Court for that purpose that any Person objected to as hereinbefore mentioned had no reasonable and probable cause for making his claim to be inserted in such List, in every such case the said Member of the said Court shall and he is hereby empowered to make and deliver to the Party objecting an order or certificate in writing for the payment to him, by the said Person so objected to as aforesaid, of any sum of money not exceeding the sum of Ten Pounds for costs; and that in the revision of any List of Voters for any county, riding, parts or division of a county, or for any city or borough, if any person objected to as hereinbefore mentioned shall appear by himself, or some one on his behalf, before the Member of the said Court holding the Court for that purpose, and shall defend his title to have been inserted in any such List, and it shall appear to such Member of the said Court that he had no reasonable and probable cause for such defence, in every such case such Member of the said Court shall and he is hereby empowered to make and deliver to the party objecting an order or certificate in writing for the payment to him by the said Person so objected to as aforesaid of any sum of money not exceeding the sum of Ten Pounds for costs; and if any Person objecting as hereinbefore mentioned to any other Person as not having been entitled

entitled to have his Name inserted in such List, shall not appear, by himself or by some one in his behalf, in support of such objection before the Member of the said Court holding his Court for that purpose, or if it shall appear to such Member of the said Court that the Person objecting had made such objection without any reasonable and probable cause, in all such cases the said Barrister shall and he is hereby empowered to make and deliver to the Person so objected to as aforesaid an order or certificate in writing for the payment to him, by the said Party objecting of any sum of money not exceeding the sum of Ten Pounds for costs: Provided always, That the Member of the said Court shall not in any case be empowered to order the payment to any party of any sum of money exceeding the costs actually incurred by him in support of his objection, or of his claim or title to vote, as the case may be; and the said Barrister, in all cases in which he shall award the payment of any costs, shall tax the same, and shall ascertain and state on the face of his said Certificate the sum payable on account thereof: Provided also, That the Revising Barrister shall have no power to award the payment of any costs by any person in respect of an Objection made by him to the insertion of the Name of any Person for the first time, on any Register of Voters.

50. Fines and Costs to be recovered by distress and sale of the Party's Goods.

And be it Enacted, That in case the Person ordered by any such order or certificate to pay any sum of money by way of Fine, or any sum of money as Costs as aforesaid, shall not forthwith pay the same according to such order or certificate, it shall and may be lawful for any Justice of the Peace of the county, riding, parts or division of a county, or for the city or borough, in the revising of any List, whereof any Member of the said Court shall have made such order or certificate, as the case may be, and every such Justice is hereby empowered and required, upon due proof to him made that a copy of the said Order or Certificate hath been served upon the Party thereby ordered to pay the sum of money therein mentioned, and that the said sum of money hath been duly demanded of him, and that he hath refused or neglected to pay the same, to cause the said sum of money to be levied by distress and sale of the goods and chattels of the said Party, together with the expenses of such levy, the overplus (if any) to be rendered by the Person making such levy to the owner of the goods and chattels on request; and the said Justice shall make his warrant for such levy under his hand and seal, according to the Form numbered in the Schedule to this Act annexed, or to the like effect, and no Certiorari or other writ or process for the removal of any such order or certificate or warrant, or any proceedings thereon, into any of His Majesty's Courts at *Westminster*, shall be allowed or granted: Provided always, That nothing herein contained as to any such Fine as aforesaid, shall in any way affect or abridge the right of action against

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any High Constable or Overseer, according to the form and effect of the said recited Act in that behalf.

51. Copies of the Registers to be printed for sale.

And be it Enacted, That the Clerks of the Peace shall cause to be printed Copies of the Registers of the Voters for their respective counties, ridings, parts or divisions of counties, and every such Clerk of the Peace shall deliver such respective Copies to all Persons applying for the same, on payment of a reasonable price for each Copy; and the Monies arising from the sale thereof shall be accounted for to the Treasurer of the respective county, riding, parts or division; and the Returning Officer of every city or borough shall cause to be printed Copies of the Register of the Voters for such city or borough, and shall deliver such Copies to all Persons applying for the same, on payment of a reasonable price for each Copy; and the Monies arising from the sale of all such Copies of the Registers of the Electors for every such city or borough shall be accounted for by every such Returning Officer to the Overseers of the several parishes and townships within the same, in proportion to the number of Persons placed on the Register of Voters for each parish or township, and shall be applied by the said Overseers to the same purposes as Monies collected for the relief of the Poor; and the names of the "Disallowed Claimants" shall be printed at the end of such Registers of Voters, but in such a manner as not to be mingled with the names of the Voters.

Counties.

52. Expenses of Clerks of the Peace and High Constables, &c. how to be defrayed.

And be it Enacted, That all Expenses incurred by the Clerk of the Peace on any county, riding, parts or division of a county in causing the Lists of the Voters for such county, riding, parts or division of a county to be copied out and made into a Register, and in causing Copies of such Register to be written or printed, and in otherwise carrying into effect the provisions of this Act; and that all Expenses incurred by the High Constables within such county, riding, parts or division of a county in carrying into effect the provisions of this Act, shall be defrayed by the Treasurer of such county, riding or parts, out of any public Money in his hands, and he shall be allowed all such payments in his Accounts: Provided always, That no Expenses incurred by any Clerk of the Peace or High Constable under this Act, shall be so defrayed, unless the Account thereof be laid before the Justices of the Peace at the next Quarter Sessions after such Expenses shall have been incurred, and the same be allowed by the Court.

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53. Expenses of Overseers, Returning Officers, &c. how to be defrayed.

And be it Enacted, That the Expenses incurred by the Overseers of any parish or township in making out, printing and publishing the several Notices and Lists directed by this Act to be done by them, and all other Expenses incurred by them in carrying into effect the provisions of this Act, shall be defrayed out of the Money collected or to be collected for the relief of the Poor in such parish or township; and that all

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all Expenses incurred by the Returning Officer of any city or borough in causing the Forms of Precepts, Notices and Lists to be printed, and the Lists of the Voters for such city or borough to be copied and made into a Register, and in causing Copies of such Register to be written or printed, and all other Expenses incurred by him in carrying into effect the provisions of this Act, and all Expenses incurred by any Town Clerk in carrying the provisions of this Act into effect, shall be defrayed by the Overseers of the Poor of the several parishes and townships within such city or borough or place sharing in the election therewith, out of the Money collected or to be collected for the use of the Poor in such parishes and townships, in proportion to the number of Persons placed on the Register of Voters for each parish or township; and provided always, That no Expenses incurred by any Overseer of any parish or township under this Act shall be so defrayed, unless the Account be laid before the Barrister at the Court held for revising the List of Voters for such parish or township, or some adjournment thereof, and be allowed by such Barrister.

Counties.

54. Provision as to the right of voting of Trustees and Mortgagees.

AND whereas it was by the said Act enacted, that no Person should be allowed to have a Vote in the Election of a Knight or Knights of the Shire for or by reason of any trust, estate or mortgage, unless such Trustee or Mortgagee were in actual possession or receipt of the rents and profits of the same estate; and whereas doubts have arisen as to the true intent and meaning of such last-mentioned enactment; BE it therefore Declared and Enacted, That no Person shall be allowed to have his name placed on the Register, as a Voter in the Election of a Knight or Knights of a Shire, as a Mortgagee or Trustee for or by reason of any mortgage or trust estate, unless in the case of a Mortgagee he be in actual possession or receipt of the rents and profits of the same estate for his own use; or unless being a Trustee he be in actual possession or receipt of the rents and profits of the same estate for charitable uses, and be entitled by or in pursuance of the instrument creating the trust to exercise a control or disposition over the rents and profits of the same estate, or any portion of them, or to exercise a power in selecting from time to time the parties to be benefited thereby: Provided always, That where the number of such Trustees of any trust shall exceed the number of three, Three only of such Trustees shall be entitled to be placed on the Register of Voters in respect of such trust; and such Three shall be the Three Trustees who shall from time to time be the first named in the deed or instrument creating or regulating the trust.

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55. As to occupancy of any Tenement jointly with other Tenements.

AND whereas in and by the said recited Act it was enacted, that in every city or borough which should return a Member or Members to serve in any future Parliament, every Male Person of full age, and not subject to any legal incapacity, who should occupy within such city

or borough or within any place sharing in the election of such city or borough, as owner or tenant, any house, warehouse, counting-house, shop or other building, being either separately or jointly with any land within such city, borough or place occupied therewith by him as tenant under the same landlord, of the clear yearly value of not less than Ten Pounds, should, if duly registered according to the provisions hereinafter contained, be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such city or borough: AND whereas it was also enacted and provided, in and by the said recited Act, that no such Person should be registered in any year unless he should have paid, on or before the Twentieth day of July in such year, all the Poor's Rates and Assessed Taxes which should have become payable from him in respect of such premises, previously to the Sixth day of April then next preceding: AND whereas doubts have arisen as to the construction and meaning of certain parts of the said enactments; BE it therefore Declared and Enacted, That the occupation of any house, warehouse, counting-house, shop or other building, jointly with any other warehouse, counting-house, shop or other building, or with any number or combination of such premises, shall be deemed to be within the true intent and meaning of the said enactment.

56. Tenement occupied with Land must be of 5*l.* clear yearly value.

And be it also Enacted, That no Person who shall occupy within any city or borough, any building or buildings, not being a dwelling-house jointly with any land, shall be entitled to vote in the Election of a Member or Members to serve in Parliament for any city or borough, in respect of the occupation of such premises, unless such building or buildings, when taken separately from such land, shall be of the clear yearly value of not less than Five Pounds.

57. As to Payment of Poor's Rate and Assessed Taxes.

And be it also Enacted, as to the payment of the Poor's Rates and Assessed Taxes, so required to be paid as aforesaid, That every Person so occupying such premises as in the said recited Act mentioned, may and shall be registered in any year if he shall have paid, within the time limited in the notice for payment to be given as aforesaid, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such premises during the year ending Three calendar Months before the expiration of the time limited in such notice.

58. How distances to be calculated.

AND whereas doubts have arisen as to the proper mode of computing the distance of Seven statute Miles in the said recited Act mentioned and therein prescribed, as to the residence of Voters for any city or borough; BE it therefore Enacted, That the said distance shall be computed from the nearest point of the city or borough in a straight line: Provided always, That in cases where there is now, or shall hereafter be, a Map of any city or borough and of the county or counties surrounding

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rounding the same, to the extent of more than Seven statute Miles, published under the authority and direction of the Principal Officers of His Majesty's Ordnance, such distance may be measured and determined by the said Map.

59. Freeholders in New Shoreham, Cricklade, &c. need not be assessed to Land Tax.

AND whereas doubts have arisen whether, in order to entitle any Person to vote for the Borough of *New Shoreham*, or of *Cricklade*, *Aylesbury* or *East Retford* respectively, in respect of any freehold messuages, lands or tenements therein situate, it is necessary that the same should be assessed to the Land Tax; BE it therefore Declared and Enacted, That in order to entitle any Person to vote in any election of a Member to serve in any future Parliament in respect of any freehold messuages, lands or tenements situate within the Boroughs of *New Shoreham, Cricklade, Aylesbury* or *East Retford* respectively, it shall not be necessary that the same shall be assessed to the Land Tax, any statute to the contrary notwithstanding.

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60. Clause as to putting Questions at the Poll repealed.

AND whereas it was enacted in and by the said recited Act, that certain Questions might be put to every Voter at the time of his tendering his vote in any Election: AND whereas it is expedient that all the provisions touching and concerning the said Questions, and the administering and taking of any oath at the time of polling should be repealed, and other provisions be enacted in lieu thereof; BE it therefore Enacted, That the said Provisions shall be and the same are hereby Repealed.

61. No Inquiry at time of Election, except as to identity of the Voter, and whether he has voted before at same Election, and except as to his having the Qualification mentioned in the Register.

And be it Enacted, That in all Elections whatever of a Member or Members to serve in Parliament no inquiry shall be permitted at the time of polling as to the right of any Person to vote, except only as follows; (that is to say) that the Returning Officer or his respective Deputy shall, if required on behalf of any Candidate, put to any Voter at the time of his tendering his vote, and not afterwards, the following Questions, or either of them, and no other:

1. Are you the same Person whose name appears as *A. B.* on the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

2. Have you already voted, either here or elsewhere, at this Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

And the Register shall be deemed and taken to be conclusive evidence that the Persons therein named continue to have the qualifications

which are annexed to their names respectively in such Register, while such Register is in force; and if any Person shall wilfully make a false answer to either of the Questions aforesaid, he shall be deemed guilty of a Misdemeanor, and shall and may be indicted and punished accordingly; and the Returning Officer or his Deputy, or a Commissioner or Commissioners to be for that purpose by law appointed, shall, if required on behalf of any Candidate at the time aforesaid, administer an Oath, or (in case of a Quaker, Moravian or Separatist) an Affirmation, to any Voter in the following form:

Oath to be taken if required.

"YOU do swear [*or*, affirm, *as the case may be*] that you are the same Person whose name appears as *A. B.* on the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be*], and that you have not before voted, either here or elsewhere, at the present Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

"So help you GOD."

No other Oath to be taken.

And no Voter shall hereafter at any such Election be required to take any Oath or Affirmation except as aforesaid, either in proof of his freehold or of his residence, age or other qualification or right to vote, any law or statute, local or general, to the contrary notwithstanding; and no Person who, being upon such Register, shall claim to vote at any such Election, shall be excluded from voting thereat, except by reason of its appearing to the Returning Officer or his respective Deputy, upon putting such Questions as aforesaid, or either of them, that the Person so claiming to vote is not the same Person whose name appears on such Register as aforesaid, or that he has previously voted at the same Election, or except by reason of such Person refusing to take the said Oath, or make the said Affirmation, or to take or make the Oath or Affirmation against Bribery; and no Scrutiny shall hereafter be allowed by or before any Returning Officer with regard to any Vote given or tendered at any such Election; any law, statute or usage to the contrary notwithstanding.

No Scrutiny to be allowed.

62. Clause (A.) For providing for the safe custody of Poll Books.

AND whereas in and by the said recited Act it was enacted, that at every contested Election for any county, riding or division of a county, city or borough, the Sheriff, Under Sheriff or Returning Officer should on the day therein mentioned, after the close of the Poll, openly break the seals on the several Poll Books, and cast up the number of Votes as they appear on the said several Books, and openly

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openly declare the state of the Poll, and make proclamation of the Member or Members chosen, not later than the time therein mentioned: And whereas no adequate provision has been made for the safe custody and production of the said Poll Books subsequent to such declaration of the Poll and proclamation of the Members chosen as aforesaid, in consequence whereof great mischief and expense have arisen in cases of disputed Returns of Members to serve in Parliament; BE it therefore Enacted, That after the said Sheriff, Under Sheriff or Returning Officer shall have declared the state of the Poll, and made proclamation of the Member or Members chosen to serve in Parliament in the manner provided for by the said hereinbefore in part recited Act, shall forthwith enclose and seal up the several Poll Books and tender the same to each of the Candidates, who shall also respectively seal the same; and in case any Candidate shall neglect or decline to seal the same, then it shall and may be lawful for any of the other Candidates to seal the same for or in behalf of such Candidate so neglecting or refusing, and to endorse thereon the fact of such neglect or refusal, as the case may be; and every such Sheriff, Under Sheriff or other Returning Officer shall with all convenient expedition, not exceeding Fourteen Days, transmit the said several Poll Books so sealed as aforesaid, to the Clerk of the Crown in the High Court of Chancery, to be by him kept and preserved, who shall endorse thereon the day upon which he received the same.

63. Clause (B.) Clerk of the Crown to deliver attested copies of Poll Books.

And be it further Enacted, That the Clerk of the Crown shall, if required in writing by any Candidate or Candidates, or by any Petitioner who shall have entered into recognizances to prosecute a Petition against the Return, deliver to him or them, or his or their agent, an attested copy of the Poll Books taken at such Election, on payment of a reasonable charge for writing the same; and after such copy shall have been made, then the said Clerk of the Crown shall re-seal the said several books with his own seal.

64. Clause (C.) Clerk of the Crown to produce Poll Books before Election Committee if required.

And be it further Enacted, That the said Clerk of the Crown shall, upon receiving a Warrant signed by the Chairman of any Committee appointed for the trial of Controverted Elections, produce before such Committee the said several books so deposited with him as aforesaid, and such production shall be full and sufficient proof of the authenticity of the said Poll Books.

65. Clause (D.) Penalty for wilful attempt contrary to Act.

And be it further Enacted, That every Sheriff, Under Sheriff, Returning Officer or Clerk of the Crown, for every wilful attempt contrary to this Act, shall forfeit to every party aggrieved, the sum of Five hundred Pounds, to be received by him or them, together with full costs of suit.

66. AND whereas in and by the said recited Act it is provided, that upon petition to The House of Commons, complaining of an undue Election or Return of any Member or Members to serve in Parliament, any Petitioner or any Person defending such Election or Return shall be at liberty to impeach the correctness of the Register of Voters in force at the time of such Election, by proving that in consequence of the decision of the Barrister who shall have revised the Lists of Voters from which such Register shall have been formed, the Name of any Person who voted at such Election was improperly inserted or retained in such Register, or the name of any Person who tendered his vote at such Election improperly omitted from such Register, and the Select Committee appointed for the trial of such Petition shall alter the Poll taken at such Election according to the truth of the case, and shall report their determination thereupon to The House, and The House shall thereupon carry such determination into effect, and the Return shall be amended or the Election declared void, as the case may be, and the Register corrected accordingly, or such other order shall be made as to The House shall seem proper: AND whereas doubts have arisen as to the true intent and meaning of the said enactment with respect to the power and authority of any such Committee to inquire into the validity or invalidity of the Vote of any Person being on the Register of Voters in force at the time of such Election; BE it therefore Enacted, That it shall and may be lawful for any such Committee to inquire into and decide upon the right to vote of any Person who being upon the Register of Voters in force at the time of such Election, shall have voted in such Election, in case the name of such Person shall have been specially retained upon such Register, or inserted therein by and in consequence of the express decision of the Member of the said Court who shall have revised the Lists of Voters from which such Register shall have been formed, or in consequence of the decision of the said Court of Appeal; and also that it shall and may be lawful to such Committee to inquire into and decide upon the right to vote of any Person who, being upon such Register, shall have voted in such Election, so far as the same may be disputed on the ground of personal incapacity at the time of his voting, under and by virtue of any statute now or hereafter to be in force, or on the ground of any other personal incapacity at the time of his voting, which may have arisen subsequently to the expiration of the time allowed for making out the List of Voters from which the Register of Voters in force at the time of such Election shall have been formed; but that, except in such cases or on such grounds as aforesaid, the Register of Voters in force at the time of such Election, shall be final and conclusive, to all intents and purposes, as to the right to vote in such Election of every Person who shall be upon such Register.

Power to Committees on Election Petitions to decide as to right of voting

And

67.
CLAUSE (P.) Regulating the taking of Poll at Elections.

And be it Enacted, That at every contested Election of a Knight or Knights to serve in Parliament for any county, or for any riding, parts or division of a county, the Polling shall commence at Eight of the clock in the forenoon of the next day but two after the day fixed for the Election, and the Polling shall continue during such one day only; and no Poll shall be kept open later than Four of the clock in the afternoon: Provided always, That when such day next but two after the day fixed for the Election shall be Sunday, Good Friday or Christmas-day, then in the case it shall be Sunday, the Poll shall be on the Monday next following; and in the case it be Good Friday, then on the Saturday next following; and in the case it be Christmas-day, then on the next following day, if the same shall not be Sunday; and if it be Sunday, on the next following Monday: Provided always, That where the proceedings at any Election shall be interrupted or obstructed by any riot or open violence, whether such proceedings shall consist of the Nomination of Candidates or of the taking the Poll, the Sheriff or other Returning Officer, or the lawful Deputy of any Returning Officer shall not for such cause terminate the business of such Nomination, nor finally close the Poll, but shall adjourn the Nomination or the taking the Poll at the particular Polling Place or Places at which such interruption or obstruction shall have happened until the following day, and if necessary shall further adjourn such Nomination or Poll (as the case may be) until such interruption or obstruction shall have ceased, when the Returning Officer or his Deputy shall again proceed with the business of the Nomination or with the taking the Poll (as the case may be), at the place or places at which the same respectively may have been interrupted or obstructed; and the day on which the business of the Nomination shall have been concluded shall be deemed to have been the day fixed for the Election, and the commencement of the Poll shall be regulated accordingly; and any day whereon the Poll shall have been so adjourned, shall not, as to such place or places, be reckoned the day of Polling at such Election, within the meaning of this Act; and whenever the Poll shall have been so adjourned by any Deputy of any Sheriff or other Returning Officer, such Deputy shall forthwith give notice of such Adjournment to the Sheriff or Returning Officer, who shall not finally declare the state of the Poll, or make proclamation of the Member or Members chosen, until the Poll so adjourned at such place or places as aforesaid shall have been finally closed, and the Poll Books delivered or transmitted to such Sheriff or other Returning Officer; any thing hereinbefore or in any other statute to the contrary notwithstanding: Provided always, That this Act shall not be taken to authorize an Adjournment to a Sunday, but that in every case in which the day to which the Adjournment would otherwise be made shall happen to be a Sunday, Good Friday or Christmas-day, that

day or days shall be passed over, and the following shall be the day to which the Adjournment shall be made.

68.
CLAUSE (E.)
Number of Polling Places may be increased.

AND whereas by an Act passed in the second year of the reign of His present Majesty King WILLIAM the Fourth, intituled, "An Act to settle and determine the Divisions of Counties, and the Limits of Cities and Boroughs in *England* and *Wales*, in so far as respects the Elections of Members to serve in Parliament," it is among other things enacted, that certain places mentioned in the Schedule marked (N.) to such Act annexed, are to be the Polling Places where the Poll at contested Elections of Knights of the Shire is to be taken: AND whereas it is expedient that provision should be made to increase, if necessary, the number of such Polling Places; BE it therefore Enacted, That it shall be lawful for His Majesty, by and with the advice of His most honourable Privy Council, to declare and direct, on requisition so to do from the Justices in Quarter Sessions assembled, or on requisition so to do from the High Sheriff of any county, that such other places as His Majesty shall think fit shall be additional Polling Places for taking the Poll at the contested Election of a Knight or Knights to serve in Parliament for any such county, riding, parts or divisions of a county; and every such direction or order for creating additional Polling Places shall be certified under the hand of one of the Clerks in ordinary of His Majesty's Privy Council, and when so certified shall be published in The *London* Gazette; and every such Direction or Order when so published in The *London* Gazette, shall have the like power and effect as if the same had been made by the authority of Parliament; and all Sheriffs, Clerks of the Peace, Returning Officers and other persons concerned shall pay due attention to the same.

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SCHEDULES to which this ACT refers.

Schedule I.

FORMS FOR COUNTIES.

No. 1.

WARRANT of the CLERK of the PEACE to the HIGH CONSTABLE.

County of } TO the High Constable [*or*, to one
to wit. } of the High Constables of the Hundred, or other like district] of within the said County.

You are hereby required to do as follows:

First, Within Ten days after the receipt of this Warrant you are to make out your precepts (the printed Forms of which are herewith sent to you) to the Overseers of the Poor of the several Parishes and Townships within your Constablewick; and you are within those Ten days to deliver one of your said precepts to the Overseers of the Poor of every such Parish and Township, together with a sufficient number of the printed Forms (herewith also sent to you), of the Notices and Lists, and of the Copies of such parts of the Register of Voters as relates to the Parish or Township of those Overseers, for their use; and if you find that the number herewith sent to you is not sufficient for all the places within your Constablewick, you are to apply to me for more.

Secondly.—On the you are to receive from the Overseers of every Parish and Township within your Constablewick a copy of the List of Claimants in such Parish or Town ship, a copy of the part of the Register relating to such Parish or Township, and a copy of the List of Persons objected to as Voters therein, together with the original Notices of Objection; and immediately after receiving the same, you are to deliver all such Copies of Lists, parts of the Register and Notices of Objection to the Clerk of the Peace.

Thirdly.—Immediately after receiving Notice from the Clerk of the Peace of the times and places of the holding of the Courts for revising the Lists of Voters, you are to cause notice thereof to be fixed up in some public and conspicuous situation at every place within your Constablewick appointed for the holding of any such Court; and you are also to give Notice to the Overseers of every Parish or Township within your Constablewick of the time and place of holding the Court for

revising the List of such Parish or Township, requiring them to attend the same.

Fourthly.—You are to attend the Courts to be held for revising the Lists of any Parish or Township within your Constablewick.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand, at in the said County, the day of

Clerk of the Peace for the said County, [Riding, &c.]

No. 2.

PRECEPT of the HIGH CONSTABLE to the OVERSEERS.

County of to wit. } TO the Overseers of the Poor of the Parish of [*or*, of the Township of]

By virtue of a Warrant from the Clerk of the Peace of the said County [Riding, &c.] unto me directed, you are hereby required to do as follows:

First.—On or before the you are to cause to be fixed on or near the outer doors of all the Churches and Chapels within your Parish [*or*, Township], or if there be no Church or Chapel therein, then to be fixed in some public or conspicuous situation within the same, a Notice (printed Forms of which are herewith sent), marked having first signed the same.

Secondly.—On or before the you are to make out an alphabetical List of all persons who, on or before the shall have delivered or transmitted to you their claims as Voters for the County [Riding, &c.], in which your Parish [*or*, Township] lies, in respect of any property situate wholly or in part within your Parish [*or*, Township]; and in making out such List, you are to write or cause to be written the christian name and surname of every such person at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the Property, and the name of the occupier, according as the same are stated in the claim in the proper columns of the printed Form or List herewith sent. If you have reasonable cause to believe that any person so claiming, or that any person who is upon the part of the Register for your Parish [*or*, Township] herewith also sent, is not entitled to have his Name on the new Register about to be made, you are to add the word "objected" opposite his name in the margin of the List, or in the margin of the part of the Register; and you are also to add the word "dead" opposite the name of any person in the margin of such part of the Register whom you shall have reasonable cause to believe to be dead. Having done thus, you are to sign the said List of Claimants,

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Claimants, and to cause a sufficient number of Copies of such List to be written or printed, and then you are to cause one of such Copies of the said List, and also one Copy of the part of the said Register to be fixed on or near the outer doors of every Church or Chapel within your Parish [*or*, Township], or if there be no Church or Chapel there, then to be fixed in some public or conspicuous place situate within the same, on the Two Sundays

Thirdly.—You are to keep a Copy of such List of Claimants, and a Copy of such part of the Register, to be perused by any Person without payment of any Fee, at all reasonable hours during the Two first weeks after the List shall have been made; and you are also to cause to be written or printed, Copies of the said List of Claimants, to be delivered to any person applying for the same on payment of a reasonable price for such Copy.

Fourthly.—If you shall have added the word "objected" opposite the name of any Person in the List of Claimants, or in the part of the Register, you must on or before the give such person a notice in writing according to the Form numbered (herewith sent); and in such Notice must be stated the grounds of objection, and it must also be signed by you, or one of you. If the Place of Abode of the Person objected to, as described in the List or part of the Register be not within your Parish [*or*, Township], you may send the Notice by the post on or before the directed to him at the Place of Abode stated in the List or part of the Register, but it must be sent free of postage, or the postage thereof must be paid.

Fifthly.—Immediately after the you are to make out a List according to the Form numbered (herewith sent), containing the name of every Person against whom a Notice of Objection shall have been given to you, or any one of you, on or before that day; and you are to cause copies of such List to be fixed (in the same Places as the other List) on the Two Sundays and you are to keep Copies of such List of Persons objected to, to be perused by any person without payment of any fee, at all reasonable hours during the Fourteen days and you are to deliver a Copy of such List to any person requiring the same, on payment of One Shilling and Sixpence for each Copy.

Sixthly.—On the you are to deliver to the High Constable of the Hundred [*or*, like District] wherein your Parish [*or*, Township] is situate, a Copy of the List of Claimants, a Copy of the part of the Register, and also a Copy of the List of Persons objected to, together with the original Notices of Objection.

Seventhly.—You are to attend the Court to be held for revising the Lists relating to your Parish [*or*, Township]; and you are to deliver to

the Barrister or Barristers holding such Court, the original Notices of Claim, and the List of Claimants, and the List of Persons objected to, so made out by you as aforesaid.

If you omit any of these matters, you will be subject to certain Penalties. Given under my hand this day of

High Constable.

No. 3.

NOTICE to be given by the OVERSEERS.

WE hereby give Notice, That all persons entitled to vote in the election of a Knight or Knights of the Shire for the County [*or*, for the Riding, &c.] of in respect of any property situate wholly or in part within this Parish [*or*, Township] who are not upon the Register of Voters now in force, or who being upon the Register shall not retain the same qualification, or continue in the same place of abode as described in such Register, are hereby required to deliver or transmit to us, or any one of us, a Notice in writing by them signed of their claim as such Voters according to the Form hereunder set forth. Any person who is upon the present Register may also make his claim, if he thinks fit; but it is not necessary that he should do so if he has the same qualification and place of abode as now described in the Register. Dated this day of

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish [*or*, Township] of

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No. 4.

FORM of NOTICE of CLAIM to be given to the OVERSEERS.

TO the Overseers of the Parish of [*or*, Township of]

I HEREBY give you Notice, That I claim to be inserted in the List of Voters for the County of [*or*, for the Riding, Parts, or Division of the County of *as the case may be*], and that the particulars of my place of abode and qualification are below. Dated the day of in the year

(signed) *John Adams.*

Place of abode, *Cheapside, London.*

Nature of qualification, freehold house, [*or*, warehouse, stable, land, field, annuity, rent-charge, &c. *as the case may be, giving such a description of the property as may serve to identify it.*]

Where situate in this Parish [*or*, Township], *King Street.* [*If the property be not situate in any street, lane, or other like place, then say*, "Name of the property, *Highfield Farm*," *or*, "Name of the occupying tenant, *John Edwards.*"]

No. 5.

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No. 5.

County of [*or*, Riding, Parts, or Division of the County of *as the case may be.*] to wit, } THE LIST of PERSONS entitled to vote in the Election of a Knight [*or*, Knights] of the Shire for the County of [*or*, for the Riding, Parts, or Division of the County of *as the case may be*], in respect of Property situate within the Parish of [*or*, Township, *as the case may be.*]

Christian Name and Surname of each Voter, at full Length.	PLACE of ABODE.	NATURE of QUALIFICATION.	Street, Lane, or other like Place in this Parish [*or*, Township] where the Property is situate, or Name of the Property, or Name of the Tenant.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the said Parish [*or*, Township.]

No. 6.

NOTICE of OBJECTION, to be given to the OVERSEERS.

TO the Overseers of the Parish of [*or*, Township, *as the case may be.*]

I HEREBY give you Notice, That I object to the name of William Ball being retained in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of] Dated the day of in the year

(signed) *A. B.* of [*Place of Abode.*]

No. 7.

FORM of NOTICE of OBJECTION, to be given to Parties.

To Mr. *William Ball, Market-street, Lancaster.*

I HEREBY give you Notice, That I object to your Name being retained in the List of Voters for the County of [*or*, for the Riding, Part, or Division of the County of] on the following ground: [*here must be stated shortly the ground of objection, as that the Party objected to has no Freehold, or that he has not had the Property for a sufficient time, or that it is not of sufficient value, or that he is personally disqualified as being a minor or officer of revenue, &c.*]

Dated this day of One thousand eight hundred and

(signed) *A. B.* [*Place of Abode.*]

No. 8.

NOTICE of OBJECTION to be given by the OVERSEERS to Parties to whom they have objected in the margin of the List, or part of the Register.

To Mr. *William Ball, Market-street, Lancaster.*

TAKE Notice, That the Overseers of the Parish of [*or*, Township of] have objected to your Name being retained in the List of Voters for the County of [*or*, for the Riding, &c.] on the following ground: [*here must be stated shortly the ground of objection.*]

Dated this day of One thousand eight hundred and

(signed) *A. B.*
One of the Overseers of

No. 9.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to, as not being entitled to have their Names retained in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of]

Christian Name and Surname of each Person objected to.	PLACE of ABODE.	Nature of the supposed Qualification.	Street, Lane, or other like Place in this Parish [*or*, Township] where the Property is situate, or Name of the Property, or Name of the Tenant.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish of [*or*, Township, *as the case may be.*]

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Schedule II.

FORMS FOR CITIES AND BOROUGHS.

No. 1.

PRECEPT of the RETURNING OFFICER to the OVERSEERS.

City [*or*, Borough] of in the County of [*or*, Riding, &c.] (To wit.)

TO the Overseers of the Poor of the Parish of [*or*, to the Overseer of the Poor of the Township of]

You are hereby required to do as follows:—First, On or before the you are to cause to be fixed on or near the outer door of all Churches and Chapels within your Parish or Township, or if there be no Church or Chapel therein, then to be fixed in some public and conspicuous situation within the same respectively, a notice (printed Forms of which are herewith sent) marked No. 2.

Secondly.—On the or within Three days then next following, you are to make out, or cause to be made out, an alphabetical List of all Persons who may be entitled to vote in the Election of a Member or Members to serve in any future Parliament for this City [*or*, Borough] in respect of the occupation of premises of the clear yearly value of Ten Pounds, situate wholly or in part within your Parish or Township; and another alphabetical List of all other Persons (except Freemen) who may be entitled to vote in the Election for this City [*or*, Borough] by virtue of any other right whatsoever; and in making out each of the said Lists you must write, or cause to be written, the christian name and surname of every such Person at full length, together with the nature of his qualification; and when any Person shall be entitled to vote in respect of any property, you must state the name of the street, lane or other description of the place where such property may be situate; and when any Person shall be entitled to vote otherwise than in respect of any property, then you must state the name of the street, lane or other description of the place of abode of such Person; and after you have made out such Lists, you must sign them, and cause a sufficient number of copies thereof to be written or printed, and then you are to cause one copy of each List to be fixed on or near the outer doors of all the Churches and Chapels in your Parish or Township, or if there is no Church or Chapel therein, then you must cause them to be fixed in some public and conspicuous situation within the same, on the Two Sundays next after such Lists shall be made out.

Thirdly.—You are to keep copies of such Lists to be perused by any person, without payment of any fee, at all reasonable hours, during the first two weeks after such Lists shall have been made; and you are to deliver copies thereof to any person applying for the same, on payment of a reasonable price for each copy.

Fourthly.—Immediately after the
you are to make out two Lists; one, a List according to the Form numbered , containing the name of every person who shall have given or have caused to be given to you, or any one of you, on or before that day, his claim to have his Name inserted in the List of your Parish [*or*, Township]; and also another List, according to the Form numbered , containing the Name of every Person against whom a notice of objection shall have been given to you, or any one of you, on or before that day, as not being entitled to have his Name inserted in any List for your City [*or*, Borough]; and you are to cause one copy of each of such Lists to be fixed (in the same places as the other List), on the Two Sundays next preceding the

Fifthly.—You are to keep Copies of these Lists, and you are to allow the same, and also the Notices of Objection, to be perused by any Person, without payment of any fee, at all reasonable hours, during Ten Days next preceding the and you are to deliver a copy of each of such Lists to any Person requiring the same, on the payment of One Shilling for each Copy.

Sixthly.—On the you are to deliver to the Returning Officer of your City or Borough, a Copy of the List of Voters, a Copy of the List of Persons who shall have claimed, and a Copy of the List of Persons objected to, so respectively made out by you as aforesaid.

Seventhly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [*or*, Borough], and at the opening of such Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists made out by you, and also the original Notices of Claim and of Objection.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand this day of
One thousand eight hundred

(signed) *A. B.*
Returning Officer for the said Borough.

No. 2.

No. 2.

City [*or*, Borough] of in the County of (To wit.) } WE hereby give Notice, That no Person will be entitled to have his Name inserted in any List of Voters for this City [*or*, Borough], now about to be made in respect of the occupation of Premises of the clear yearly value of Ten Pounds, whether situate wholly or in part within this Parish [*or*, Township], unless he shall pay, on or before the all the Poors' Rates and Assessed Taxes which have become due from him in respect of such Premises, during the Twelve calendar months next before the and all Persons who omit to make such payment will be incapable of being upon the next Register of Voters for this City or Borough. Dated this day of One thousand eight hundred

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish [*or*, Township] of

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No. 3.

THE LIST of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of in respect of Property occupied within the Parish [*or*, Township] of by virtue of an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in *England* and *Wales*."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish, where the Property is situate.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the said Parish [*or*, Township] of

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No. 4.

THE LIST of all PERSONS (not being Freemen), entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of in respect of any rights other than those conferred by an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in *England* and *Wales*."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish where the Property is situate. [*If the Right of Voting does not depend on Property, then state the Place of Abode.*]

(signed) *A. B.*
C. D.
E. F.
} Overseers of the Parish of [*or*, Township] within the said City [*or*, Borough] of

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No. 5.

NOTICE of CLAIM.

TO the Overseers of the Parish [*or*, Township] of

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of and that my Qualification consists of a House in Duke-street in your Parish [*or otherwise, as the case may be.*] Dated the day of One thousand eight hundred and Thirty-

(signed) *John Allen*, of [*Place of Abode.*]

No. 6.

No. 6.

LIST of CLAIMANTS, to be published by the OVERSEERS.

THE following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of

Christian Name and Surname of each Claimant at full length.	Nature of Qualification.	Street, Lane, or other Place in this Parish, where the Property is situate. [*If the Right does not depend on Property, state the Place of Abode.*]

(signed) *A. B.*
C. D.
E. F. } Overseers of, &c.

No. 7.

PRECEPT of RETURNING OFFICER to the TOWN CLERK.

City [*or*, Borough] of
in the County of
(To wit.) } TO the Town Clerk of the City [*or*, Borough] of in the County of

YOU are hereby required to do as follows:—First, On or before the you are to cause to be fixed, on or near the outer door of the Town-hall, or if there be no Town-hall, then to be fixed in some public and conspicuous place within your City or Borough, a Notice according to the Form numbered 2. in the Schedule annexed to an Act of Parliament, intituled, "An Act for the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament for *England* and *Wales*."

Secondly.—On or before the you are to make out, or cause to be made out, an alphabetical List, containing the names of all Persons who shall be upon the Register for your City or Borough as Freemen; and also the names of all Persons who shall have claimed to be inserted in the List as such Freemen according to the said Notice: and in making out such List, the christian name and surname of every Person is to be written at full length, together with the place of his Abode, as set forth in the Register or Claim respectively; and if you have reasonable cause to believe that any person

who is upon the Register, or any person so claiming, is not entitled to have his name upon the Register as a Freeman, you are to add the word "objected" opposite the name of every such person on the margin of the List; and you are also to add the word "dead" opposite to the name of every person, in the margin of such List, whom you have reasonable cause to believe to be dead; and you are to sign such List.

Thirdly.—You are to cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within your city or borough, on the Two Sundays next after such List shall have been made; and you are to keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the Two first Weeks after such List shall have been made: and you are to cause to be written or printed copies thereof, and to deliver a copy to all persons applying for the same, on payment of a reasonable price for each copy.

Fourthly.—Immediately after the
you are to make out a List, according to the Form numbered 12 in the said Schedule II., including the name of every person against whom a notice of objection shall have been given to you on or before that day, and you are to cause a Copy of such List to be fixed in the same place as the other List on the Two Sundays next preceding the and you are to keep Copies of such List, and are to allow the same, and also the notices of objection, to be perused by any Person without payment of any fee, at all reasonable hours during the Ten days next preceding the said Fifteenth day of September, and you are to deliver copies of such List, to any person requiring the same, on payment of One Shilling for each copy.

Fifthly.—On the you are to deliver to the Returning Officer of your City [*or*, Borough] a Copy of the List of Persons entitled to vote as Freemen, and a Copy of the List of Persons objected to as Freemen so respectively made out by you as aforesaid.

Sixthly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [*or*, Borough]; and at the opening of the said Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists so made out by you as aforesaid, and also the original Notices of Claim and of objection.

Given under my hand the day of
One thousand eight hundred and

A. B. Returning Officer.

No. 8.

No. 8.

City [*or*, Borough] of
in the County of
(To wit.)

NOTICE is hereby given, That all persons entitled to vote as Freemen in the Election of a Member or Members to serve in Parliament for this City [*or*, Borough], who are not upon the Register of Voters now in force, or who being upon such Register do not continue in the same place of abode as described in such Register, are to deliver or transmit to the Town Clerk of the said City [*or*, Borough] a Notice in writing by them signed, of their claim as such Freemen, according to the Form hereunder set forth. Dated this day of

A. B., Town Clerk of

No. 9.

To the TOWN CLERK of the City [*or*, Borough] of

I HEREBY give you Notice, That I claim to have my name inserted in the List made by you of Persons entitled as Freemen to vote in the Election of a Member [*or*, Members] to serve in Parliament for the City [*or*, Borough] of and that my qualification is as Freeman of and that I reside in street in this City [*or*, Borough.] Dated this day of One thousand eight hundred and

(signed) *John Allen.*

No. 10.

NOTICE of OBJECTION.

To the Overseers of the Parish [*or*, Township] of
[*or*, To the Town Clerk of the City, *or*, Borough of
or otherwise, as the case may be.]

I HEREBY give you Notice, That I object to the Name of *Thomas Bates* being retained in the List of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of on the following ground: [*here must be stated strictly the ground of objection, as that the Party has not been rated long enough, or is not an Occupier of sufficient value, or that he is personally disqualified, &c.*] Dated this day of

(signed) *A. B.* of [*Place of Abode.*]

No. 11.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Persons qualified to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of

Christian Name and Surname of each Person objected to.	Nature of the supposed Qualification.	Street, Lane or other Place in the Parish where the Property is situate. [*If the Right does not depend an Property, state the Place of Abode.*]

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of, &c.

No. 12.

THE LIST of PERSONS objected to, to be published by the TOWN CLERKS.

THE following Persons have been objected to as having no right to be retained on the List of the Freemen of the City [*or*, Borough] of [*or*, of being a Place sharing in the Election with the City [*or*, Borough] of] entitled to vote in the Election of a Member [*or*, Members] for the said City [*or*, Borough.]

Christian and Surname of each Person objected to.	Place of his Abode.

(signed) *A. B.* { Town Clerk of the said City [*or*, Borough, *or*, Place.]

Schedule

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Schedule III.

A LIST of such of the FREEMEN of LONDON as are Liverymen of the Company of entitled to vote in the Election of Members for the City of LONDON.

Christian Name and Surname of the Voter at full length.	Street, Lane, or other description of his Place of Abode.

(signed) *A. B.*, Clerk.

No. 1.

NOTICE of CLAIM to be given to the RETURNING OFFICER or OFFICERS of the City of LONDON, and to the CLERKS of the respective Livery Companies.

To the Returning Officer or Officers of the City of *London* [*or*, To the Clerk of the Company of]

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by the Clerk of the Company of [*or, in case of Notice to the Clerk, say*, made by you] of the Liverymen of the said Company [*or, in case of Notice to the Clerk, say*, of the Liverymen of the Company of] entitled to vote in the Election of Members for the City of *London*. Dated the day of

(signed) *A. B.* {[*Place of Abode.* / *Name of Company.*]

No. 2.

LIST of CLAIMANTS, to be published by the RETURNING OFFICER or OFFICERS of the City of LONDON.

The following Persons claim to have their Names inserted in the List of Persons entitled to vote as Freemen of the City of *London*, and Liverymen of the several Companies herein specified, in the Election of Members for the City of *London*.

Christian Name and Surname of Claimants at full length.	Place of Abode.

No. 3.

NOTICE of OBJECTION to PARTIES inserted in the LIST of the LIVERY.

To Mr. *William Baker.*

I HEREBY give you Notice, That I object to your Name being retained in the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City, and that I shall bring forward such objection at the time of revising the said List. Dated the day of

(signed) *A. B.* [*Place of Abode.*]

No. 4.

NOTICE of OBJECTION to be given to the RETURNING OFFICER or OFFICERS of the City of LONDON.

To the Returning Officer or Officers of the City of *London.*

I HEREBY give you Notice, That I object to the Name of *Thomas Bates* being retained in the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City, on the following ground [*here must be stated strictly the ground of objection, as that the Party has not been rated long enough, or is not an Occupier of sufficient value, or that he is personally disqualified, &c.*]

Dated this day of

(signed) *A. B.* of [*Place of Abode.*]

No. 5.

THE LIST of PERSONS objected to, to be published by the RETURNING OFFICER or OFFICERS of the City of LONDON.

THE following Persons have been objected to as having no right to be retained on the List of Persons entitled to vote as Freemen of the City of London and Liverymen of the several Companies herein specified in the Election of Members for the City of *London.*

Christian and Surname of each Person objected to.	Place of his Abode.

(signed) *A. B.* {Town Clerk of the said City [*or*, Borough, *or*, Place.]

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Schedule IV.

LIST of PERSONS expunged, to be signed by the BARRISTER.

THE following Persons have been expunged by me, from the List of the Parish of as not being entitled to have their Names inserted in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of .]

NAME.	PLACE of ABODE.	Nature of supposed Qualification.	Street, Lane or other Place where Property is situate, or Name of Property or Tenant.

(signed) *A. B.* Revising Barrister for the County of [*or*, Riding, Parts or Division of the County of .]

Registration of Voters.

A

B I L L

[AS AMENDED ON RE-COMMITMENT]

FOR

The more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in *England* and *Wales*.

(*Prepared and brought in by Mr. Attorney General and Mr. Solicitor General.*)

Ordered, by The House of Commons, *to be Printed,* 20 *May* 1836.

287.

A

B I L L

[AS AMENDED ON SECOND RE-COMMITMENT]

For the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in *England* and *Wales*.

[N. B.—*The Clauses marked* (A.) *to* (E.) *and the* Fourth Schedule, *were added by the Committee; and the Clauses marked* (F.) *to* (P.) *and* Nos. 4 & 5 of Schedule III. *were added on the Re-Commitment; and the Clauses marked* (Q.) *to* (A. A.) *and* Nos. 10 & 12 of Schedule II., Nos. 5 & 6 of Schedule III. *and* Nos. 2 & 3 of Schedule IV. *were added on the Second Re-Commitment.*]

WHEREAS an Act was passed in the second year of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People in *England* and *Wales*:" Preamble: 2 Will. 4. c. 45.

And whereas the said Act contains divers provisions for the formation of Registers of Voters for Counties, Ridings, Parts and Divisions of Counties, and also for the formation of Registers of Voters for Cities and Boroughs:

And whereas it is expedient and necessary that some of the said provisions should be amended, and that further provisions should be made for the more effectual Registration of Persons entitled to vote in the Election of Members to serve in Parliament for *England* and *Wales*; and it is expedient for the better understanding of the Law touching such Registration that all provisions for the formation of such Registers should be consolidated into this Act;

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT all provisions in the said recited Act contained, touching and concerning the formation of the Register of Voters

1. Certain Provisions of 2 Will. 4. c. 45, repealed.

Voters for any County, Riding, Parts or Division of a County, or for any City or Borough in *England* and *Wales*, and touching and concerning the defraying of the Expenses to be incurred in carrying such provisions into effect, shall be and the same are hereby Repealed, except as to any such Register heretofore made, and except as to any matter or thing touching and concerning the same.

2.
CLAUSE (Q.) Register of Voters now in force, to continue till formation of Register under provisions of this Act.

And be it Enacted, That the Register of Voters in force at the time of the passing of this Act for any county, riding, parts or division of a county, city or borough in *England* or *Wales*, or for the town of *Berwick-upon-Tweed*, shall continue in force until the formation of a Register of Voters for such county, riding, parts or division of a county, city, borough or town, under the provisions of this Act.

3.
This Act to be deemed part of the recited Act.

And be it Enacted, That this Act, when passed, shall be deemed and taken to be part of the said recited Act, as fully and effectually as if the same were incorporated therewith.

4.
CLAUSE (F.) A Court for the Revision of Lists of Voters to be established; such Court to consist of a President and other Members.

And be it Enacted, That it shall be lawful for The Speaker of the House of Commons to appoint any number of Barristers, not exceeding Twelve, nor less than , of not less than years' standing, for the revision of the Lists of Voters in *England* and *Wales*, in manner hereinafter mentioned, who shall be called the Revising Barristers of *England* and *Wales*; and, out of the Barristers so appointed, the said Speaker shall appoint one of not less than years' standing, to be called the Chief Revising Barrister of *England* and *Wales*; and the Barristers so appointed, and all others to be appointed under this Act, shall hold their offices during their good behaviour; and all Vacancies which shall occur in the number of the said Revising Barristers, either by death, resignation or removal, shall from time to time be filled up by the Lord High Chancellor of *Great Britain*, by the appointment to the office or offices vacant, of a Barrister or Barristers of such standing as aforesaid; and every appointment, either by the said Speaker or by the said Lord Chancellor, shall be forthwith notified in the *London* Gazette.

5.
CLAUSE (G.) Members of the Court not to practise as Barristers, nor to hold office under the Crown, nor to sit in Parliament.

And be it Enacted, That no Revising Barrister shall practise as a Barrister, or hold any office or place of profit under the Crown; nor shall he be capable of sitting or voting in Parliament, or of being elected to serve in Parliament, nor for Eighteen Months after he shall have ceased to be a Revising Barrister.

6.
CLAUSE (H.) Salaries of Members of the Court and Expenses.

And be it Enacted, That there shall be paid to the said Revising Barristers, as a remuneration for their services in such their offices, the Salaries following; (that is to say) to the Chief Revising Barrister the sum of by the year; and to every one of the other Revising Barristers the sum of by the year apiece; and such

such Salaries, and also the necessary Expenses of the Court of Appeal and of the Circuits, hereinafter mentioned, shall be paid by the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury for the time being, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, by equal quarterly payments on the day of the day of the day of and the day of in every year, together with a proportionate part of a quarter of a year, which may immediately precede the time of the death, resignation or removal of the person entitled to such salary.

7.
CLAUSE (R.) If from illness or other cause Revising Barrister is incapable of discharging his duty, the Lord Chancellor may appoint a Barrister of proper standing to perform the duty.

And be it Enacted, That if at any time or times hereafter it shall be made to appear to the Lord Chancellor for the time being, that by reason of the sickness or other temporary inability of one or more of such Revising Barristers, the remaining number of such Barristers are insufficient for the adequate discharge of their duties, then and in such case and so often as the same shall happen, it shall be lawful for the Lord Chancellor, if he shall think fit, to appoint one or more Barrister or Barristers of proper standing, for the temporary discharge of the duties of the Revising Barrister or Barristers so disabled by sickness or other temporary cause as aforesaid; and in every such case it shall be lawful for the Lord Chancellor to make such order respecting the payment of the salary of any such supernumerary Barrister, either by the Barrister whose place he shall temporarily supply, or out of His Majesty's Treasury, as to the Lord Chancellor shall seem meet: Provided always, That in case of the sickness or other temporary disability of the Chief Revising Barrister, it shall be lawful for the Lord Chancellor to appoint any one of the other Revising Barristers temporarily to discharge the duties of the Chief Revising Barrister, though he may not be of the proper standing for that office, and also to make such order respecting the payment of the salary of such temporary Chief Revising Barrister, as to the Lord Chancellor shall seem meet.

8.
CLAUSE (I.) A certain number of the Members of the Court to make Circuits for the purpose of revising the Lists.

Revision of Lists for the same place to be held at the same time in every year.

And be it Enacted, That Eight of the Revising Barristers, of which number the Chief Revising Barrister shall not be one, shall in every year make Circuits throughout *England* and *Wales*, and shall hold open Courts, in which they shall once in every year, and not oftener, revise the Lists of Voters for every county, riding, parts or division of a county, city, borough and place, and the town of *Berwick-upon-Tweed*; and the said Circuits shall be made in a regular rotation by the said Revising Barristers, exclusive of the Chief Revising Barrister, and such rotations shall be settled by the Chief Revising Barrister; and the Courts to be held for any county, riding, parts or division, city or borough, or for the town of *Berwick-upon-Tweed*, shall be held at the same time as nearly as may be in every year.

9.
CLAUSE (J.) Only one Member of the Court to sit at once to revise the Lists; the same Member not to revise the Lists of the same County, &c. in successive years.

And be it Enacted, That only one Revising Barrister shall attend at once at any one place for the purpose of revising such Lists; and no Revising Barrister shall revise the Lists for the same county, riding, parts or division of a county, city, borough or place, in Two successive years.

10.
CLAUSE (K.) President and two other Members of the Court to form a Court of Appeal.

Appeals on questions of Law only.

And be it Enacted, That the Chief Revising Barrister alone, or the Chief Revising Barrister and one or more of the other Revising Barristers, shall form a Court of Appeal, by whom shall be heard and decided all questions of law, which may be brought before him or them by way of appeal from the decisions of the Revising Barristers upon their circuits; and such Appeals shall be by way of special case, which special case shall be signed by the Revising Barrister from whose decision the Appeal shall be brought, upon application made to him for that purpose, by or on behalf of the person whose name shall have been expunged from or not inserted in the List or Register of Voters by the decision of the Revising Barrister, or by or on behalf of the Overseer or person having objected to such name being inserted in or retained upon the List or Register of Voters, as the case may be; and the subjects of such Appeals shall be questions of law only, and not questions of fact; and no Revising Barrister shall sit in Appeal upon any of his own decisions; and such Court of Appeal shall sit somewhere in *London* or *Westminster*, and shall be an open Court.

11.
CLAUSE (L.) Appeals to be brought and decided within a certain time.

And be it Enacted, That no Appeal from the decision of any Revising Barrister shall be entertained, unless the same shall be lodged at such place as such Court shall from time to time direct, within after the date of such decision, nor unless such Appeal shall be brought to a hearing within after the same period; and all Appeals shall be heard in the same order in which they are lodged.

12.
CLAUSE (S.)

And be it Enacted, That every order or decision of the Court of Appeal, reversing or in anywise altering the decision of the Revising Barrister, shall be forthwith notified by the Chief Revising Barrister to the Clerk of the Peace of the county, riding, parts or division of a county, or to the Returning Officer of the city, borough or place, to the List or Register of Voters of which such decision shall relate, and the Clerk of the Peace or Returning Officer shall forthwith alter such List or Register of Voters in such manner and form as the Chief Revising Barrister shall by writing subscribed by him direct.

13.
CLAUSE (T.)

And be it Enacted, That a copy of any order or decision of the said Court of Appeal, subscribed by the Chief Revising Barrister, shall be admissible in evidence before any Election Committee of The House of

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of Commons, and any of His Majesty's Courts of Record, and shall have the like force and effect as any entry made in any List or Register of Voters under this or the said recited Act.

14. CLAUSE (U.)

And be it Enacted, That no right of voting at any election of a Member or Members to serve in Parliament shall be extended or limited, or in any way whatsoever affected by any appeal pending in the said Court at the time of such election, but it shall be lawful for every person to exercise the right of voting at such election as effectually, and every vote tendered thereat shall be as good as if no such appeal were pending; and that the subsequent decision of any appeal which shall be pending in the said Court at the time of any such election shall not in any way whatsoever alter or affect the Poll taken at such election, nor the Return made thereat by the Returning Officer.

15. CLAUSE (M.) Court may make Rules.

And be it Enacted, That it shall be lawful for the said Court to make Rules and Regulations not inconsistent with the provisions of this Act, for the administration of the business of the said Court and of the business of the said Circuits; and from time to time to vary, alter and repeal all or any of such Rules and Regulations, and to make others in their stead: Provided always, That all the Rules and Regulations so made, varied, altered and repealed be approved of by the Lord Chancellor for the time being, and be laid before The House of Commons, within days after they shall be made, varied, altered or repealed, if the said House shall then be sitting, or if not, then within days after the said House shall next reassemble: Provided also, That it shall not be lawful for the said Court, by any Rule or Regulation, to exclude the parties to any appeal from being heard by counsel before the said Court.

16. CLAUSE (N.) Notice to be given of the time at which the Revision of Lists for any County shall commence.

And be it Enacted, That the Chief Revising Barrister shall, in every year, Four calendar Months at least before the first Court for the annual revision of the Register of Voters for any county, riding, parts or division, transmit through the Post to the Clerk of the Peace of such county, riding, parts or division a Notice, requiring him, within Seven Days from the date of such Notice, to deliver to the High Constable of every Hundred or other like district within such county, riding, parts or division, such Warrant as hereinafter mentioned.

Counties.

17. Clerk of the Peace to have Forms of Warrants, &c. printed.

Clerk of the Peace to issue his Warrant to High Constables, with Forms of Precepts, &c.

And be it Enacted, That the Clerk of the Peace for every county, riding, parts or division of a county, shall cause a number of Forms of Warrants, Precepts, Notices and Lists to be printed, according to the Forms numbered (1. 2. 3. 4. 5.) in the Schedule (I.) to this Act annexed; and shall also, in every year, within Seven Days after the receipt of such Notice from the Chief Revising Barrister as aforesaid, make and cause to be delivered his Warrant, according to the Form numbered

bered (1.) in the Schedule (I.) to this Act annexed, to the High Constable of every Hundred or other like district within such county, riding, parts or division; and shall also cause to be delivered to the said High Constable with every such Warrant, for the use of the said High Constable, and for the use of the Overseers of every parish and township within his Constablewick as hereinafter provided, a sufficient number of the said printed Forms of Precepts, Notices and Lists; and also a sufficient number of Copies of such parts of the Register of Voters for such county, riding, parts or division then in force as shall relate to every parish or township within his said Constablewick.

18. High Constables to issue Precepts with Forms of Notices, &c. to Overseers.

And be it Enacted, That every High Constable shall in every year, within Ten Days after the receipt of such Warrant of the said Clerk of the Peace, make and cause to be delivered to the Overseers of the Poor of every parish and township within his Constablewick, his Precept, according to the Form numbered (2.) in the Schedule (I.) to this Act annexed, together with a sufficient number of the said printed Forms of Notices and Lists, and of the copies of such part of the said Register as shall relate to their parish or township.

19. Overseers to give Notice annually, requiring Voters to send in their Claims.

And be it Enacted, That the Overseers of the Poor of every parish and township shall, in every year, within Seven Days after the receipt of the Precept from the High Constable, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same, a Notice signed by him, bearing date the same day on which it shall be so fixed up, and according to the Form numbered (3.) in the Schedule (I.) to this Act annexed, requiring all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in Parliament, in respect of any property situate wholly or in part within such parish or township, who shall not be upon the Register of Voters then in force; and also requiring all Persons so entitled as aforesaid, who being upon such Register, shall not retain the same qualification or continue in the same place of abode as described in such Register, to deliver or transmit to the said Overseers, on or before the expiration of One calendar Month from the date of such Notice, a Notice in writing by them signed of their Claim as such Voters, according to the Form numbered (4.) in the Schedule to this Act annexed, or to the like effect: Provided always, That it shall be lawful for any other Person so entitled to make his Claim as aforesaid, if he shall so think fit, although he shall be upon such Register.

20. Overseers to prepare Lists of Claimants.

And be it Enacted, That the Overseers of the Poor of every parish and township shall, in every year, Ten Days next after the end of such One calendar Month as aforesaid, make out or cause to be made out, according to the Form numbered (5.) in the Schedule (I.) to this

Act

Act annexed, an Alphabetical List of all Persons who on or before the expiration of such One calendar Month shall have claimed as aforesaid to be inserted in the List of Voters for the county, or for the riding, parts or division of the county wherein such parish or township lies, in respect of any property situate wholly or in part within that parish or township; and in every List so to be made as aforesaid, the Christian Name and Surname of every Claimant shall be written at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the property, or the Name of the occupying Tenant thereof, as the same are respectively stated in his said notice of claim; and the said Overseers, if they shall have reasonable cause to believe that any Person so claiming as aforesaid, or any Person who is upon that part of the Register of Voters then in force which relates to their parish or township, is not entitled to have his name upon the Register then next to be made for the county or for the riding, parts or division of the county in which their parish or township is situate, shall add the word "Objected" opposite the name of every such Person on the margin of such List, or on the margin of such part as aforesaid of the said Register then in force; and the said Overseers shall also add the word "Dead" opposite the name of any Person in such part as aforesaid of the said Register, whom they shall have reasonable cause to believe to be dead; and the said List of Claimants being so made as aforesaid, the said Overseers shall sign the same, and shall cause a sufficient number of copies of such List to be written or printed; and shall cause to be fixed one copy of such List, and also one copy of such part as aforesaid of the said Register, on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same, on the Two Sundays next after the expiration of the said Ten Days; and the said Overseers shall likewise keep a copy of such List, and a copy of such part as aforesaid of the said Register, and also the original notices of claim, to be perused by any person without payment of any fee, at all reasonable hours, during the Fourteen Days next after the expiration of the said Ten Days, and shall cause to be written or printed copies of the said List of Claimants, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each copy, such price not to exceed the rate of Three-halfpence for every ninety words.

Overseers to have power of objecting to any Name either on such Lists or on the part of the Register of Voters for the time being relating to their Parish.

To have power to add the word "Dead" against any Name in such Lists or part of Register.

Overseers to fix Copies of such Lists and of the part of the Register of Voters relating to their own Parish on Churches and Chapels;

To keep Copies of Lists for Inspection and Sale.

21.
The List of Claimants in any Parish, and the part of the Register relating to that Parish, to be deemed the List of Voters of such Parish.

And be it Enacted, That the List of Claimants (if any) so made out by the Overseers of any parish or township as aforesaid, and such part as aforesaid of the Register of Voters then in force for the county, riding, parts or division of a county, within which such parish or township lies, shall be deemed to be the List of Voters of such parish or township for such county, riding, parts or division of a county; and every Person whose name is upon the said List of Claimants, or such

part as aforesaid of the said Register, shall be deemed to have had his name inserted in the List of Voters of such parish or township by the Overseers thereof.

22. Any Person on the Register for the time being may object to any other Person named in the List of Voters as not entitled to be upon the List.

And be it Enacted, That every Person who shall be upon the Register of Voters for the time being in force for any county, or for any riding, parts or division of a county, may object to any Person whose name shall appear either upon any such List of Voters as aforesaid, for such county, riding, part or division of a county, as not having been entitled, at the expiration of the said Ten Days, to have his name inserted in such List of Voters; and every Person so objecting, shall, within Twenty-eight Days next after the expiration of the said Ten Days, give or cause to be given to the Overseers of the Poor of the parish or township to which such List may relate, a Notice, according to the Form numbered (6.) in the Schedule (I.) to this Act annexed or to the like effect; and the Person so objecting, and the said Overseers, or one of them, in case of their objecting as hereinbefore mentioned, shall, within the same Twenty-eight Days, give to the Person so objected to, a Notice in writing, according to the Forms numbered (7.) and (8.) respectively in the Schedule (I.) to this Act annexed, or to the like effect, either by delivering the same, or causing the same to be delivered to him, or by leaving the same, or by causing the same to be left or delivered at his place of abode as described in such List, or by delivering the same, or by causing the same to be delivered to the occupying Tenant of the qualifying premises described in such List: Provided always, That every such Notice of objection shall be signed by the party so objecting as aforesaid, and in case of objection by Overseers, such Notice of objection shall be signed by the said Overseers, or one of them, and in both cases the ground or grounds of objection shall be stated therein; and that wherever the place of abode of the Person objected to as described in such List, or of the person objecting, as described in such Register of Voters as aforesaid, shall not be in the parish or township to which such List may relate, it shall be sufficient, if the Notice so required to be given as aforesaid shall, within the same Twenty-eight Days, be sent by the Post, free of postage, or the sum chargeable as postage for the same being first paid, directed to the person objected to at his place of abode, as described in such List.

Notice of Objection to be given to the Overseers

Notice of Objection in all cases to be given to the Party.

Grounds of Objection to be stated in the Notice.

Notice in certain cases may be sent by the Post.

23. Lists of Persons objected to, to be published.

And be it Enacted, That the said Overseers shall include the names of all Persons so objected to, save those objected to by the said Overseers in manner hereinbefore mentioned, in a List according to the Form numbered (9.) in the said Schedule (I.) to this Act annexed, and shall cause copies of such List to be fixed on or near the outer doors of all Churches and Chapels within their parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same, on the Two Sundays next after the

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the expiration of the said Twenty-eight Days; and the said Overseers shall also keep a copy of such List to be perused by any Person without payment of any fee, at all reasonable hours during the Fourteen Days next after the expiration of the said Twenty-eight Days; and shall deliver a copy of such List to any Person requiring the same on payment of a reasonable price for each copy, such price not to exceed the rate of Three-halfpence for every ninety words.

24. Provision as to Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, having no Overseer of the Poor, shall, for the purpose of making such Claims and Objections, and making out such List as aforesaid, and for all purposes connected with the formation of a Register of Voters for the county, riding, parts or division of a county, in which such precinct or place lies under the provisions of this Act, be deemed to be within the parish or township adjoining thereto, situate within the same county, or the same riding, parts or division of a county, as such precinct or place; and if such precinct or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being.

25. Lists, &c. to be delivered to High Constables to be forwarded to the Clerk of the Peace.

And be it Enacted, That within Four Days next after the expiration of the said Twenty-eight Days, the Overseers of every parish or township shall deliver to the High Constable of the hundred or other like district wherein the said parish or township is situate, a copy of the List of Claimants so made out as aforesaid; and a copy of such part as aforesaid of the said Register, and also a copy of the List of Persons objected to so made out as aforesaid, and the original notices of objection and the original notices of claim so given to them as aforesaid, and copies of the Notices of objection so given by the said Overseers as aforesaid; and such High Constable shall forthwith deliver all such copies of Lists and of parts of the said Register, and all such original Notices of objection and original Notices of claim, and all such Copies of Notices of objection, to the Clerk of the Peace of the county or of the riding, parts or division of county within which his Constablewick lies, and such Clerk of the Peace shall thereupon make out a List of the Number of Persons objected to by the Overseers and by other Persons in each parish and township, and an Abstract of the grounds of objection stated in the said Notices of objection, and shall immediately afterwards transmit the said copies of Lists, and of parts of the said Register, and also the abstract, so made out by him, to the Chief Revising Barrister, in order that proper arrangements may be made as to the times and places for revising such Lists.

26. President to give notice of the times and places of

And be it Enacted, That the Chief Revising Barrister shall, in every year, Ten Days at the least before the holding of the first Court of annual

holding such Court to Clerk of the Peace.
Clerk of the Peace to give notice thereof by Advertisement, and to the High Constables.
High Constables to give public notice and notice to the Overseers.

annual revision of the Register of Voters for any county, riding, parts or division of any county, give Notice to the Clerk of the Peace of the several times and places at which the several Courts for revising the Lists of Voters for such county, riding, parts or division of a county will be holden; and the said Clerk of the Peace shall forthwith cause public notice of such several times and places to be given by advertisement in some of the Newspapers circulating within the said county, riding, parts or division, and shall also cause notice thereof to be given to the High Constable of every hundred or other like district within the same respectively; and the said High Constable shall forthwith cause a Notice of such several times and places to be fixed up in some public and conspicuous situation at every place within his said Constablewick appointed for the holding of any such Court, and shall forthwith give Notice to the Overseers of every parish and township within his Constablewick of the time and place of holding the Court for revising the List of such parish and township, requiring them to attend the same.

27. Clerk of the Peace to attend the first Court, and High Constables and Overseers to attend the Courts for their respective Districts and Parishes.

And be it Enacted, That the Clerk of the Peace at the opening of the first Court of Revision to be so holden as aforesaid for any county, riding, parts or division of a county, shall deliver or cause to be delivered to the Revising Barrister then present the several copies of Lists and parts of the said Register, and the original Notices of objection, and original Notices of claims, and copies of Notices of objection, which shall have been delivered to such Clerk of the Peace by the High Constables as aforesaid; and the High Constable of every hundred or other like district shall attend the Court or Courts to be held for revising the List of Voters relating to any parish or township within his Constablewick, and the Overseers of every parish and township shall attend the Court to be held for revising the List relating to their parish or township, and shall deliver to the Revising Barrister the List of Claimants, and the List of Persons objected to, so made out by them respectively as aforesaid; and the said Clerk of the Peace, High Constables and Overseers shall answer upon oath all such questions as the Revising Barrister may put to them or any one of them touching any matter necessary for such revision as aforesaid.

28. Powers to expunge Names from Lists.

And be it Enacted, That the Revising Barrister shall expunge from the List of Voters of any parish or township revised by him, the Name of every Person objected to in manner hereinbefore mentioned, who shall not be proved to have been entitled, at the expiration of the Ten Days hereinbefore in that behalf mentioned, to have his Name retained or inserted in such List in respect of his qualification stated in such List; or in case it shall be proved that such Person was then legally incapacitated from voting in the election of Members to serve in Parliament; and shall also expunge from such List the Name of every Person whose qualification

qualification as stated therein shall appear upon the face thereof to be necessarily insufficient to entitle him to be retained or inserted in such List, and also the Name of every Person who shall be proved to him to be dead; and shall correct any mistake which shall be proved to him to have been made in the said List as to any of the particulars required by this Act to be inserted therein; and wherever the Christian Name of any Person, or his place of abode, or the nature of his qualification, or the local or other description of his property, or the Name of the occupying Tenant thereof, as the same are respectively required by this Act to be inserted in such List, shall be wholly omitted therefrom, the Revising Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted shall be supplied to his satisfaction before he shall have completed the revision thereof, in which case he shall then and there insert the matter or matters so supplied accordingly: Provided always, That no Person's Name shall be expunged as aforesaid except in case of the statement of such insufficient qualification as aforesaid, or of his death, or of any such omission as hereinbefore mentioned, unless the Overseers or other Party who shall have objected to such Person shall appear before the Revising Barristers, by themselves or himself, or by some one on their or his behalf, in support of such objection, nor unless the said Member of the said Court shall be satisfied that the Notice of objection hereby required has been duly given: Provided also, That it shall not be lawful for the Revising Barrister to inquire into any objection, the ground whereof shall not have been stated in the said Notice of objection: Provided also that the fact of the name of the Person objected to being upon the Register of Voters in force at the time of such revision, shall always be *primâ facie* evidence of such Person being entitled to have his name retained or inserted in such List of Voters as aforesaid, save in the case of such statement of necessarily insufficient qualification, or of such total omission, as hereinbefore mentioned.

Power to rectify mistakes and supply omissions.

Mode of proceeding in cases of objected Votes.

29.

And be it Enacted, That if it shall happen that the name of any Person who shall have given to the Overseers of any parish or township due notice of his claim to have his Name inserted in the List of Voters of that parish or township, shall have been omitted by such Overseers from such List, it shall be lawful for the Revising Barrister, upon the revision of such List, to insert therein the Name so omitted, in case it shall be proved to his satisfaction that such Person gave due notice of his claim to the said Overseers, and that he was entitled, at the expiration of the said Ten Days, to be inserted in such List, in respect of the qualification described in such Notice of claim.

Power to insert in Lists the Names of Claimants omitted by the Overseers on proof of due claim and qualification.

30.

AND whereas it is enacted by the said recited Act, that at every contested Election for any county, riding, parts or division of a county, Booths for taking the Poll at the principal place of Election, and also at

Voters residing out of the Polling District to which the Parish wherein their

qualification is situate belongs, may vote in another Polling District on making a claim before the Member of the Court of Revision.

at each of the Polling Places for such county, riding, parts or division, should be erected as therein mentioned, and that no Person should be admitted to vote at any such Election in respect of any property situate in any parish, township or place, except at the Booth allotted for such parish, township or place; and if no Booth should be allotted for the same, then at any of the Booths for the same district: And whereas it is expedient that certain Voters should be admitted to vote elsewhere than at the Polling Place of the district wherein their qualification may be situate; BE it therefore Enacted, That wherever the place of abode of any Voter for any county, riding, parts or division of a county, shall not be within the Polling District of the parish or township wherein his qualification lies, every such Voter whose place of abode shall be within such county, riding, parts or division of a county, shall, if duly registered in that behalf, be admitted to vote at the Polling Place of the district wherein his place of abode may be situate; and every such Voter whose place of abode shall not be within such county, riding, parts or division of a county shall, if duly registered in that behalf, be admitted to vote at the Polling Place of any other district, to be by him selected; any thing in the said recited Act to the contrary notwithstanding: Provided always, That in order to be registered for the purpose of being admitted to vote at some other Polling Place than the Polling Place of the district wherein his qualification may be situate, the Voter shall make his claim to be admitted to vote at such other Polling Place before the Revising Barristers, who shall revise the List of Voters, containing the Name of such Voter; and thereupon the Revising Barrister shall insert in the said List the Name of such other Polling Place against the Name of such Claimant: Provided also, That if such Voter shall not personally appear before the Revising Barrister, such claim shall be made in writing signed by the said Voter, and verified on oath: Provided also, That no Voter against whose Name in the Register for the time being the Name of any Polling Place shall be so inserted, shall be admitted to vote at any other Polling Place in the same county, riding, parts or division of a county than at the Polling Place so inserted.

Cities and Boroughs.

31. Clause (O.) Notice to be given of the time at which the Revision of the Lists for any City or Borough will commence.

And be it Enacted, That the Chief Revising Barrister shall in every year, Four calendar Months at least before the first Court of annual revision of the Lists of Voters for any city or borough, transmit through the Post, to the Returning Officer of such city or borough, a Notice, requiring such Returning Officer, within Seven Days after receiving such Notice, to deliver to the Overseers of the Poor of every parish or township in such city or borough, or to the Town Clerk of such city or borough, such Precept as hereinafter mentioned.

32. Returning Officer to have Forms of Precepts, &c. printed.

And be it Enacted, That the Returning Officer of every such city or borough shall cause a sufficient number of Forms of Precepts, Notices and Lists

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Cities and Boroughs.

Lists to be printed, according to the Forms numbered (1. 2. 3. 4. 6. 7.) in the Schedule (II.) to this Act annexed, at the expense of such city or borough, and shall in every year within Seven Days after the receipt of such Notice from the President of the said Court as aforesaid, make and cause to be delivered to the Overseers of the Poor of every parish or township situate wholly or in part within such city or borough, or within any place sharing in the Election for such city or borough, his Precept according to the Form numbered (1.) in the said Schedule; and shall also within the said Seven Days make and cause to be delivered to the Town Clerk of such city or borough, and to the Town Clerk of every place sharing in the Election for such city or borough, his Precept according to the Form numbered (7.) in the said Schedule; and the said Returning Officer shall also cause to be delivered to the said Overseers and Town Clerks with every such Precept a sufficient number of the said printed Forms of Notices and Lists.

To issue his Precept to the Overseers and to the Town Clerk.

33. Overseers to give public Notice as to the payment of Rates and Taxes by Occupiers of Premises of the yearly value of 10*l.*

And be it Enacted, That the Overseers of every such parish or township shall, in every year, within Seven Days after the receipt of the Precept from the Returning Officer, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same, a Notice, signed by him, bearing date the same day on which it shall be so fixed up, and according to the Form numbered (2.) in the said Schedule (II.), stating that no Person will be entitled to have his Name inserted in any List of Voters for the city or borough then next to be made, in respect of the occupation of premises of the clear yearly value of not less than Ten Pounds, situate wholly or in part within such parish or township, unless he shall pay, at or before the expiration of One calendar Month from the date of such Notice all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such premises during the year ending Three calendar Months next before the expiration of the said One calendar Month; and that all Persons omitting to make such payment will be incapable of being upon the Register of Voters for the said city or borough then next to be made.

34. Overseers to have power of inspecting Tax Assessments, &c.

And be it Enacted, That the Overseers of every parish or township, for their assistance in making out the List of Voters as hereinafter mentioned, (upon request made by them or any of them at any reasonable time within Seven Weeks from the time of the receipt by such Overseers of the Precept from the Returning Officer, to any Assessor or Collector of Taxes, or to any other Officer having the custody of any duplicate or Tax Assessment for such parish or township), shall have free liberty to inspect any such duplicate or Tax Assessment, and to extract therefrom such particulars as may appear to such Overseer or Overseers to be

necessary; and every such Assessor or Collector of Taxes shall, within Two Days after the expiration of the One calendar Month aforesaid, or having Four Days' notice from such Overseers or any of them, make out and deliver to the said Overseers a List containing the Name and place of abode of every Person who shall not have paid on or before the expiration of such One calendar Month, the Assessed Taxes which shall have become payable from him in respect of any premises within the said parish or township during the year ending at such time as is hereinbefore in that behalf mentioned; and the said Overseers shall keep the said List to be perused by any Person without payment of any fee at all reasonable hours during the first Fourteen Days after the List of Voters shall have been made as hereinafter mentioned.

35. Overseers to prepare Lists of Persons (other than Freemen) entitled to vote.

And be it further Enacted, That the Overseers of every such parish or township shall, Ten Days after the expiration of such period of One calendar Month as last aforesaid, make out or cause to be made out according to the Form numbered (3.) in the Schedule (II.) to this Act annexed, an Alphabetical List of all Persons who may be entitled to vote in the election of a Member or Members to serve in Parliament for such city or borough, in respect of the occupation of premises of the clear yearly value of not less than Ten Pounds situate wholly or in part within such parish or township, and another Alphabetical List, according to the Form numbered (4.) in the said Schedule (II,) of all other Persons (except Freemen) who may be entitled to vote in the Election for such city or borough by virtue of any other right whatsoever; and in each of the said Lists the Christian Name and Surname of every such Person shall be written at full length, together with the nature of his qualification; and where any Person shall be entitled to vote in respect of any property, then the Name of the Street, Lane or other description of the place where such property may be situate, shall be specified in the List; and where any Person shall be entitled to vote otherwise than in respect of any property, then the Name of the Street, Lane or other description of the Place of Abode of such Person shall be specified in the List; and the said Overseers shall also forthwith, after the making of such Lists, sign the same, and cause a sufficient number of copies of such Lists to be fixed on or near the outer doors of all the Churches and Chapels in their several parishes and townships, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the Two Sundays next after the expiration of the said Ten Days; and the said Overseers shall likewise keep Copies of such Lists to be perused by any Person without payment of any Fee, at all reasonable hours during the first Fourteen Days after the expiration of the said Ten Days, and shall, at a reasonable price, deliver to all Persons applying for the same Copies of such Lists, such price not to exceed the rate of Three Halfpence for every Ninety Words.

Copies of Lists to be fixed on Churches and Chapels.

Copies of Lists to be kept for inspection and for sale.

And

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Cities and Boroughs.

36.
CLAUSE (X.)
Overseer to give Notice to Person whose Name may be omitted in Register.

And be it Enacted, That in every case in which a Name, which is upon the Register of Voters in force for the time being for such city or borough, shall be omitted by the said Overseers from the Lists to be made by them as aforesaid, the said Overseers or one of them shall within Seven Days after the same shall be so fixed up as aforesaid, give or cause to be given to the Person whose Name shall be so omitted, or leave or cause to be left at his usual place or last usual place of abode, a Notice signed by them or one of them, according to the Form numbered (.) in the said Schedule (II.) stating shortly the reason or reasons of such omission.

37.
Persons omitted from the Overseers' Lists to give notice of their Claims.

And be it Enacted, That every Person whose Name shall have been omitted in any such List of Voters for any city or borough so to be made out by the Overseers as aforesaid, and who shall claim to have his Name inserted therein as having been entitled at the expiration of the said Ten Days, shall, within Twenty-eight Days next after the expiration of the said Ten Days, give or cause to be given a notice signed by him, according to the Form numbered (5.) in the said Schedule (II.) or to the like effect, to the Overseers of that parish or township in the List whereof he shall claim to have his Name inserted ; and the Overseers shall include the Names of all Persons so claiming as aforesaid in a List according to the Form numbered (6.) in the said Schedule (II.).

List of Claimants to be made.

38.
Town Clerk to give a notice requiring Freemen entitled to vote to send in their claims in certain cases.

And be it Enacted, That the Town Clerk of every city or borough shall, in every year within Seven Days next after the receipt of the Precept from the Returning Officer, cause to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, then to be fixed in some public and conspicuous situation within such city or borough, a Notice, signed by him, bearing date the same day on which it shall be so fixed up, and according to the Form numbered (8.) in the Schedule (II.), requiring all Persons entitled to vote as Freemen in the election of a Member or Members to serve in Parliament for such city or borough who shall not be upon the Register of Voters for the said city or borough then in force, and all Persons so entitled as Freemen, who, being upon such Register, shall not continue in the same place of abode as described in such Register, to deliver or transmit to the said Town Clerk, within One calendar Month next after the date of such Notice, a Notice by them signed of their Claim as such Freemen, according to the Form numbered (9.) in the said Schedule (II.) ; and the Town Clerk of every place sharing in the election of any city or borough shall, within the same Seven Days, in like manner give a like notice.

39.
Town Clerks to prepare Lists of Freemen.

And be it Enacted, That the Town Clerk of every such city or borough shall, Ten Days after the expiration of such period of One calendar Month as last aforesaid, make out, or cause to be made out, according

according to the Form numbered (10.) in the said Schedule (II.), an Alphabetical List containing the Names of all Persons who shall be upon the Register for the time being for such city or borough as Freemen, and also the Names of all Persons who shall claim as aforesaid to be inserted in the List as such Freemen; and in every List so made by the said Town Clerk, the Christian Name and Surname of every Person shall be written at full length, together with the place of his abode, as set forth in such Register or notice of Claim, and the Town Clerk of every place sharing in the election for any city or borough shall, at the same time as last aforesaid, make out or cause to be made out, in the same manner, a like List of all Persons upon the said Register, or claiming as aforesaid as Freemen of such place; and every such Town Clerk, if he shall have reasonable cause to believe that any Person who is upon the Register for the time being, or any Person so claiming as aforesaid, is not entitled to have his name upon the Register then next to be made for such city or borough as a Freeman, shall add the word "Objected" opposite to the name of every such Person on the margin of the List; and shall, in the margin of such List, add the word "Dead" opposite to the name of every Person, whom such Town Clerk shall have reasonable cause to believe to be dead; and every such Town Clerk shall sign such List, and shall cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within such city, borough or place as aforesaid, on the Two Sundays next after the expiration of the said Ten Days; and shall likewise keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the first Fourteen Days after the expiration of the said Ten Days, and shall at a reasonable price deliver to all persons applying for the same copies of such List, such price not to exceed the rate of Three Halfpence for every Ninety Words: Provided always, That where there shall be no Town Clerk for such city, borough or place as aforesaid, or where the Town Clerk shall be dead or incapable of acting, all or any of the matters by this Act required to be done by and with regard to the Town Clerk, shall be done by and with regard to the Person executing duties similar to those of the Town Clerk, and if there be no such Person, then by and with regard to the Chief Civil Officer of such city, borough or place.

Town Clerks to have power of objecting to any Name in the List, and to add the word "Dead" against any Name.

Lists to be fixed on the Town Hall.

Copies of Lists to be kept for inspection and sale.

40. Persons named in the List may object to other Persons as not being entitled to be in the List.

And be it Enacted, That every Person whose name shall be in any List of Voters, or the Register in force for the time being, for any city or borough, may object to any other Person whose name shall be on any List of Voters for such city or borough, so made out by the Overseers or Town Clerk as aforesaid, as not having been entitled, at the expiration of the said Ten Days, to have his name inserted therein; and every Person so objecting shall, within Twenty-eight Days next after the

the expiration of the said Ten Days, give or cause to be given to the Overseers or Town Clerk who shall have made out the List containing the Name of the Person so objected to, a Notice, according to the Form numbered (11.) in the said Schedule (II.), or to the like effect; and the Person so objecting, and the Town Clerk, in case of his objecting in manner aforesaid, shall also, within the said Twenty-eight Days, give or cause to be given to the Person objected to, or leave or cause to be left at his usual place of abode a Notice, according to the Form numbered (12.) in the said Schedule (II.), or to the like effect: provided that every such Notice of Objection shall be signed by the Person so objecting as aforesaid; or in cases of objection by the Town Clerk, then by the Town Clerk; and in either case the ground or grounds of objection shall be stated therein.

Notices of Objection to be given to the Overseers, or in case of Persons on the List of Freemen to the Town Clerk.

Grounds of Objection to be stated in Notice.

41.

Lists of Persons objected to, to be made.

And be it Enacted, That the said Overseers shall include the names of all Persons so objected to in a List according to the Form numbered (13.) in the said Schedule (II.), and shall cause copies of the said List of Persons objected to, and of the said List of Persons claiming as before mentioned, to be fixed on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no Church or Chapel therein, then to be fixed up in some public and conspicuous situation within the same, on the Two Sundays next after the expiration of the said Twenty-eight Days; and the said Town Clerk shall include the Names of all Persons so objected to as Freemen in a List according to the Form numbered (14.) in the said Schedule (II.), and shall cause a copy of such List to be fixed on or near the door of the Town Hall, or if there be no Town Hall, then to be fixed up in some public and conspicuous situation within such city, borough or place as aforesaid, on the same Two Sundays; and the Overseers and Town Clerk shall keep Copies of such Lists respectively, and of such Notices of Omission or Objection as shall be given by them respectively to Persons omitted or objected to by them in manner aforesaid; and shall allow the same, and also the original Notices of Objection and original Notices of Claim so to be given to them as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the Fourteen Days next after the said Twenty-eight Days, and shall deliver a copy of each of such Lists to any Person requiring the same, on payment of a reasonable price for each copy, such price not to exceed the rate of Three Halfpence for every Ninety Words.

Such Lists, and the List of Claimants, to be fixed on Churches and Chapels.

Lists of Persons objected to as Freeman to be made and fixed on Town Hall.

Copies of Lists and Notices of Objection to be kept for inspection.

42.

Provision for Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, having no Overseer of the Poor, and being within any city or borough, or within any place sharing in the election for any city or borough, shall, for the purpose of making out the Lists of Voters for such city or borough, and for making such claims and

objections as aforesaid, and for all purposes connected with the formation of a Register of Voters for such city or borough, under the provisions of this Act, be deemed to be within the parish or township adjoining thereto, situate wholly or in part within such city or borough, or within such place sharing in the election therewith; and if such precinct or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being.

43. Overseers and Town Clerks to deliver Copies of Lists to the Returning Officer.

And be it further Enacted, That the said Overseers shall, within Four Days next after the expiration of the said Twenty-eight Days, deliver to the Returning Officer of such city or borough a copy of the List of Voters so made out by them as aforesaid, and a copy of the List of Persons who shall have claimed as aforesaid, and a copy of the List of Persons objected to as aforesaid, and the original Notices of Objection and original Notices of Claim so given to them, and copies of the Notices of Omission so given by them as aforesaid; and the said Town Clerk shall, within the same Four Days, deliver to the said Returning Officer a copy of the List of Persons entitled to vote as Freemen, and of Persons claiming to be inserted in the List of Freemen, so made out by him as aforesaid, and a copy of the List of Persons so objected to as Freemen as aforesaid, and the original Notices of Objection and original Notices of Claim given to him, and copies of the Notices of Objection given by him as aforesaid; and the said Returning Officer shall immediately afterwards make an abstract of the ground or grounds of Objection or reasons of Omission stated in each of the said Notices of Objection or Omission, and shall forthwith transmit to the Chief Revising Barrister the abstract so made, and copies of all such Lists as he shall so receive.

44. Freemen and Liverymen of the City of London.

And be it Enacted, That for providing a List of such of the Freemen of the City of *London* as are Liverymen of the several Companies entitled to vote in the election of a Member or Members to serve in Parliament for the City of *London*, the Returning Officer or Officers of the said City shall, in every year, on the expiration of after receiving such Notice from the Chief Revising Barrister as hereinbefore mentioned, issue Precepts to the Clerk of each of the said Livery Companies, requiring him within Seven Days thereafter, to make out or cause to be made out, at the expense of the Company, an Alphabetical List according to the Form in the Schedule (III.) to this Act annexed, of the Freemen of *London*, being Liverymen of the said Company, and entitled to vote in such Election; and such Clerk shall sign such List, and transmit the same, with Two printed Copies thereof, to such Returning Officer or Officers, and shall cause a sufficient number of copies of such List to be printed at the expense of

of the Company, and shall keep the same to be perused by any Person, without payment of any fee, at all reasonable hours during the first Fourteen Days after such List shall have been printed; and shall deliver to any Person applying for the same a copy of the said List, at a price not exceeding Three Halfpence for every Ninety Words; and the Returning Officer or Officers, on receiving such List and printed copies as aforesaid, shall forthwith fix One such Copy on the Guildhall and One in the Royal Exchange in the said City, there to remain Fourteen Days; and every Person whose Name shall have been omitted in any such List of Freemen and Liverymen, and who shall claim to have his Name inserted therein as having been entitled on the day on which such Precept is hereby required to be issued by the Returning Officer of the said City as aforesaid, shall, within Twenty-eight Days next after such day, give or cause to be given to the said Returning Officer or Officers, or one of them, and to the Clerk of the Company, a Notice signed by him, and according to the Form numbered (1.) in the said Schedule (III.), or to the like effect; and the Returning Officer or Officers shall include the Names of all Persons so claiming as aforesaid in a List, according to the Form numbered (2.) in the said Schedule (III.), and shall cause such last-mentioned List to be fixed in the Guildhall and Royal Exchange of the said City on the Two Mondays next after the said Twenty-eight Days; and the said Returning Officer or Officers and Clerks of the said Companies shall likewise keep a copy of the Names of all the Persons so claiming as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the Fourteen Days next preceding the day appointed for holding such first Court as aforesaid; and shall deliver to any Person applying for the same a copy of the said List, at a price not exceeding Three Halfpence for every Ninety Words; and every Person whose Name shall be on any List of Voters or the Register of Voters in force for the time being for the said City, may object to any other Person whose Name shall be in any List so made out by the Clerk of any Company as not having been entitled on the day on which such Precept is so required to be issued by the Returning Officer of the said City as aforesaid, to have his Name inserted in such List, and every Person so objecting shall, within the same Twenty-eight Days as last aforesaid, give or cause to be given to such other Person, or leave or cause to be left at his usual place of abode a Notice, signed by him, stating shortly the ground or grounds of such objection, according to the Form numbered (3.) in the said Schedule (III.), or to the like effect; and shall deliver or cause to be delivered a similar Notice to the said Returning Officer, according to the Form numbered (4.) in the said Schedule (III.), or to the like effect; and in every case in which the Name of any Person upon the Register of Voters in force for the time being for the said City as a Freeman and Liveryman, shall be omitted by the Clerk of the Company to which such Person belongs

from the List so made out by him as aforesaid, such Clerk shall, within Days after transmitting such List to the Returning Officer as aforesaid, give or cause to be given to such Person, or leave or cause to be left at his usual place of abode a Notice, signed by him, stating shortly the reason or reasons of such omission, according to the Form numbered (5.) in the said Schedule (III.), or to the like effect; and shall, along with the List and Two printed copies thereof to be transmitted by him to the Returning Officer as hereinbefore mentioned, transmit a similar Notice to the Returning Officer, according to the Form numbered (6.) in the said Schedule (III.); and the said Returning Officer shall include the names of all Persons so objected to and omitted as aforesaid in a List, stating shortly the grounds of such objection, or reasons of such omission, as the same shall be respectively stated in such Notices as hereinbefore directed to be given, according to the Form numbered (7.) in the said Schedule (III.), and shall, within Days after the expiration of the said Twenty-eight Days, publish and sell the said List at a price not exceeding Three Halfpence for every Ninety Words; and in the City of *London* the Returning Officer or Officers shall take the poll or votes of such Freemen of the said City, being Liverymen of the several Companies, as are entitled to vote at such Election in the Guildhall of the said city; and the said Returning Officer or Officers shall not be required to provide any booth or compartments, but shall appoint or take One Poll for the whole number of such Liverymen at the same place.

45. Courts to be held; and Notice thereof given to the Returning Officer, who is to publish the same.

And be it Enacted, That a Court or Courts for the revision of the Lists of Voters for every City and Borough shall be held in every year, not only within such city or borough, but also within every place sharing in the election of Members to serve in Parliament for such city or borough, and the Chief Revising Barrister shall Days at least before such Court or the first of such Courts, give notice to the Returning Officer of such city or borough of the day on which such Court will be held; and the Returning Officer shall, not less than Ten Days before the day so appointed, cause a Notice thereof to be fixed up on the outer doors of all Churches and Chapels within such city, borough or place, and on the outer door of the Town Hall of such city, borough or place respectively, or if there be no Church or Chapel or Town Hall therein, then to be fixed up in some public and conspicuous place within the same respectively.

46. Returning Officer, Town Clerks and Overseers of the present and past year to attend the Courts.

And be it further Enacted, That the said Returning Officer, and the Town Clerk of such city or borough or place sharing in the election therewith, and the several Overseers for the time being of every parish or township within such city, borough or place as aforesaid, and also such of the Overseers thereof for the year then last past as may have prepared or been concerned in preparing the Lists of Voters to be revised at such

such Court or Courts, or any of such Lists, and also such of the Overseers thereof for the year then last past, whether they may have been concerned in such preparation or not, as shall at the time of the holding of such Court be resident within such city or borough, and in the City of *London* the Clerks of the several Livery Companies and the Ward Beadles of such city, shall attend every Court to be holden before the Revising Barrister for the revision of the Lists of Voters for such city, borough or place as aforesaid, the said Overseers attending only the Courts held for the revision of the Lists of their particular parish or township; and the said Returning Officer, Town Clerk and Overseers shall answer, upon Oath, all such questions as the Revising Barrister may put to them, or any of them, touching any matter necessary for revising the Lists of Voters; and the Returning Officer shall, at the opening of the said Court, deliver to the Revising Barrister the original Notices of Objection and original Notices of Claim, and copies of Notices of Omission and Objection so delivered to them as hereinbefore directed; and the said Overseers and Town Clerk respectively, and in case of the City of *London* the Returning Officer of the said City, shall, at the opening of the said Court, deliver to the Revising Barrister the several Lists so made out by them respectively, or transmitted to such Returning Officer as aforesaid, (and also the original Notices of Claim, and the original Notices of Objection, so given to them as aforesaid;) and the said Overseers shall also produce at the said Court all Rates made for the relief of the Poor of their respective parishes or townships, during the Eighteen Months preceding the time at which such Court shall be held; and every such Revising Barrister shall have power to require any Assessor, Collector of Taxes, or other Officer having the custody of any Duplicate or Tax Assessment, or any Overseer or Overseers, or other Person, having the custody of any Poor Rate, to produce the same respectively before him at any Court to be held by him for the purpose of assisting him in revising the Lists to be by him revised in pursuance of this Act.

47. Powers of Member of the Court of Revision to insert and expunge Names.

And be it Enacted, That the Revising Barrister shall insert in the List of Voters for such city or borough, the Name of every Person omitted therefrom, who shall be proved to the satisfaction of such Revising Barrister to have given due Notice of his Claim to be inserted in such List, and to have been entitled, at the expiration of the time allowed for making out such List, to have his Name inserted therein in respect of the qualification described in such Claim; and such Member of the said Court shall expunge from the List the name of every Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such Person was entitled, at the expiration of the time allowed for making out such List, to have his Name inserted therein, in respect of the qualification described in such List, or in case it shall be proved to the satisfaction of such Revising Barrister

that such Person was then legally incapacitated from voting in the election of Members to serve in Parliament, and shall also expunge the name of every Person who shall be proved to him to be dead; and shall correct any mistake which shall be proved to him to have been made in such List as to any of the particulars required to be inserted therein; and wherever the Christian Name, or the place of Abode, or the nature of the Qualification, or the local description of the Property of any Person who shall be included in such List, shall be wholly omitted in any case where the same is by this Act directed to be specified therein, such Revising Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted be supplied to his satisfaction before he shall have completed the revision of such List, in which case he shall then and there insert the matter so supplied in such List: Provided always, That no Person's Name shall be expunged as aforesaid except in case of his death, or of any such omission as hereinbefore mentioned, unless the Party who shall have objected to such Person shall appear before such Revising Barrister, by himself or by some one in his behalf, in support of such objection, or in default of such appearance, some other Person, whose Name shall be in such List shall then and there appear to support such objection, and shall declare, by writing by him signed and delivered to such Revising Barrister, that he is willing to be deemed to be the party objecting in the place and stead of the party who shall have objected as aforesaid, nor unless such Revising Barrister shall be satisfied that the Notice of Objection shall have been duly given as is hereinbefore required in each of the said cases: Provided also, That it shall not be lawful for the Revising Barrister to inquire into any Objection or Omission, the ground or reason whereof shall not have been stated in the said Notice of Objection or Omission: Provided also, That the fact of the name of any Person objected to or omitted being upon the Register of Voters for such city or borough in force at the time of such revision, shall be good *primâ facie* evidence of such Person being entitled to have his name upon such Register or List of Voters as aforesaid: Provided also, That in the case of Freemen it shall not be lawful for the Revising Barrister to question the title of any Freeman as such whose title to be on the Roll of Freemen could not be questioned by *quo warranto.*

Mode of proceeding in cases of Objection.

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48. Power to adjourn Courts, administer Oaths, &c.

And be it Enacted, That every Revising Barrister holding any Court under this Act as aforesaid shall have power to adjourn the same from time to time and from any one place to any other place or places within the same county, riding, parts or division, or within the same city or borough, or within any place sharing in the election for such city or borough, but so as that no such adjourned Court shall be held more than days after the time of the adjournment thereof, or of the first of such adjournments, if there shall be more than one; and

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and every such Revising Barrister shall have power to administer an oath (or, in the case of a Quaker or Moravian, an affirmation) to all Clerks of the Peace, High Constables, Overseers, Town Clerks, Returning Officers, Clerks of the Livery Companies and Ward Beadles, and to all Persons making objection to the insertion or omission of any Name in any List of Voters for any county, riding, parts or division of a county, or for any city or borough, and to all Persons objected to or claiming to be inserted in any such List, or claiming to have any mistake corrected or any omission supplied in any such List, and to all Witnesses who may be tendered on either side; and that if any Person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be deemed guilty of Perjury, and shall be punished accordingly; and every such Revising Barrister shall upon the hearing in open Court finally determine upon the validity of such claims and objections, and shall for that purpose have the same powers, and proceed in the same manner (except where otherwise directed by this Act) as the Revising Barristers heretofore under the provisions of the said recited Act, and such Revising Barrister shall in open Court write his Initials against the Names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected or any omission supplied, or the name of any polling place inserted, and shall sign his Name to every page of the several Lists so settled.

49. Clause (Y.) No Party to be heard by Counsel before Revising Barristers.

And be it Enacted, That no party shall be heard by Counsel before any Revising Barrister holding any Court for the revision of Lists of Voters.

50. County Lists to be transmitted to Clerk of the Peace, and to be by him copied into a Book.

And be it Enacted, That the Lists of Voters for each county, or for the riding, parts or division of each county so signed as aforesaid by the Revising Barrister shall be forthwith transmitted by him to the Clerk of the Peace; and the Clerk of the Peace shall keep the said Lists among the Records of the Sessions, arranged according to Polling Districts in alphabetical order, and with every parish or township within each Polling District likewise in alphabetical order, and shall forthwith cause the said Lists to be fairly and truly copied in the same order, in a book to be by him provided for that purpose; and shall prefix to every name so copied out its proper number, beginning the numbers from the first name, and continuing them in a regular series down to the last name, and shall in every year within days next after the revision of the Lists of Voters for his county, riding, parts or division shall have been completed, complete and deliver such book, to the Sheriff of the County or his Under Sheriff, who shall safely keep the same, and shall at the expiration of his office deliver over the same to the succeeding Sheriff or his Under Sheriff; and the Lists of Voters for each city or borough so signed as aforesaid by

Borough Lists to be del vered

to the Returning Officer, and to be by him copied into a Book.

by the Revising Barrister, shall be forthwith delivered by him to the Returning Officer for such city or borough, who shall safely keep the same, and shall cause the said Lists to be fairly and truly copied in a book to be by him provided for that purpose, with every name therein numbered according to the directions aforesaid; and shall in every year within days next after the revision of the Lists of Voters for his city or borough shall have been completed, complete such book, and shall deliver over such book, together with the Lists, at the expiration of his office, to the person succeeding him in such office; and such book shall be the Register of Voters in force for any county, riding, parts or division of a county, and for any city or borough, from the day of its completion exclusive, till the day of completion inclusive of the like book after the next revision of the List of Voters for such country, riding, parts or division of a county, or for such city or borough.

Such Books to be the Register of Voters for One Year.

51. Revising Barrister to furnish Clerk of Peace and Returning Officer with disallowed and expunged Names.

And be it Enacted, That the Revising Barrister shall furnish the Clerk of the Peace in counties, and the Returning Officer in cities or boroughs respectively (as the case may be) with a List of the Names of the Persons whose claims to vote he has not allowed, and of the names expunged by him from any List revised by him, and the said Clerk of the Peace and Returning Officer shall preserve such List of disallowed Claimants and expunged Names, and shall enter the same in a separate book, to be by them provided for that purpose.

52. Persons may be subpœnaed as Witnesses before the Courts of Revision.

AND whereas it is expedient to make provision for compelling the attendance of Witnesses before the Courts of Revision for the purpose of being examined touching any matters cognizable before such Courts; BE it therefore Enacted, That for the purpose of compelling the attendance of Witnesses before any Court, to be holden for revising the List of Voters for any county, riding, part or division, the Clerk of the Peace for such county, riding, part or division, or Revising Barrister who shall revise the said List, and for the purpose of compelling the attendance of Witnesses before any Court to be holden for revising the List of Voters for any city or borough, the Returning Officer such city or borough, or the Revising Barrister who shall revise the last-mentioned List, shall and they are hereby respectively required, upon the application of any Party requiring the same, to issue a Summons under his hand, calling on any Person or Persons to be therein named, to attend before any Court of Revision to be held before such Revising Barrister respectively to be examined touching any matter cognizable before such Court.

53. Proceedings against Persons subpœnaed who shall not attend the Court.

And be it further Enacted, That the service of every such Summons upon any Person shall be good and effectual to compel the attendance of such Person to be examined before such Court in any part of *England* and *Wales*; and in case the Person served shall not appear according to the

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the exigency of such Summons, it shall be lawful for the Revising Barrister before whose Court such Person shall have been by such Summons required to attend, to transmit a Certificate of such default under his hand to the Court of King's Bench in *England*, and the Court of King's Bench shall upon such Certificate proceed against and punish such Person so having made default, in like manner as they might have done if such Person had neglected or refused to appear in obedience to a Subpœna issued out of that Court: Provided always, That the Court of King's Bench shall not in any case proceed against or punish any Person for such default, unless it shall be made to appear to such Court that a reasonable and sufficient sum of money to defray the expenses of going and returning and attending to give evidence, had been tendered to such Person at the time when such Summons was served upon such Person.

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54. Power to fine Clerk of the Peace, High Constable, Returning Officer, Town Clerk or Overseer, for neglect of duty.

And be it Enacted, That if any Clerk of the Peace, High Constable, Returning Officer, Town Clerk or Overseer, within the meaning of this Act, shall wilfully contravene the directions of this Act, or wilfully neglect or refuse to perform any duty imposed upon him by this Act, such Clerk of the Peace, Returning Officer or Town Clerk shall for every such offence be liable to pay by way of fine, any sum of money not exceeding in the case of any Clerk of the Peace, Returning Officer or Town Clerk Pounds nor less than Pounds, and in the case of any High Constable or Overseer Five Pounds nor less than Twenty Shillings, to be imposed by and at the discretion of the Revising Barrister who shall revise the List of Voters, in the preparation or in the revision of which or in relation to which such offence or offences shall have been committed.

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55. Fines, to whom payable, and to what purpose to be applied.

And be it Enacted, That whenever any such Fine shall be imposed on any Clerk of the Peace, High Constable, or on any Overseer for any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any county, riding, parts or division of a county, such fine shall be paid to the use of the general rate of such county, riding, parts or division of a county; and wherever any such fine shall be imposed on any Returning Officer, Town Clerk or Overseer for any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any city or borough, such fine shall be paid to the use of the Borough Fund; and it shall be lawful for the Revising Barrister imposing any such fine as aforesaid, to order the Party offending to pay such fine to some Person to be by him the said Barrister authorized to receive the same, and to be applied by such Person for the use of the said county, riding, parts or division of a county, or for the use of the said city or borough, as the case may be, and such Barrister shall make his order or certificate in writing for that purpose, according to the Form, Number (3.) in the Schedule (IV.) to this Act annexed, or to the like effect.

Counties, Cities and Boroughs.

56. Power to give Costs in certain cases to Parties claiming or objecting.

And be it Enacted, That if in revising the List of Voters for any county, riding, parts or division of a county, or for any city or borough, if it shall appear to the Revising Barrister that any Person objected to as hereinbefore mentioned had no reasonable and probable cause for making his claim to be inserted in such List, in every such case it shall be lawful for such Revising Barrister to order the Person having made such claim to pay to the objecting Party his costs of making and supporting such objection, and the Revising Barrister shall thereupon tax such costs, and make and deliver to the Party objecting an Order or Certificate signed by him for the payment to him, by the said Person so objected to, of the amount of such taxed costs, and that, if in revising the List of Voters for any county, riding, parts or division of a county, or for any city or borough, any Person objected to as hereinbefore mentioned shall appear by himself, or some one on his behalf, before the Revising Barrister, and shall defend his title to have been inserted in any such List, and it shall appear to such Member of the said Court that he had no reasonable and probable cause for such defence, in every such case it shall be lawful for such Revising Barrister to order the Person so appearing and defending his title, to pay to the objecting party his costs of making and supporting such objection; and the Revising Barrister shall thereupon tax such costs, and make and deliver to the party objecting an order or certificate, signed by him, for the payment to him by the said Person so objected to as aforesaid of the amount of such taxed costs; and if any Person objecting as hereinbefore mentioned to any other Person as not having been entitled to have his Name inserted in such List, shall not appear, by himself or by some one in his behalf, in support of such objection before the Revising Barrister on the revision of such List, or if it shall appear to the Revising Barrister that the Person objecting had made such objection without any reasonable and probable cause, or if the name of any Person upon the Register of Voters in force for the time being for any city or borough, shall be omitted by any Overseer from the List of Voters, to be made by him as hereinbefore directed, and it shall appear to the Revising Barrister on the revision of such List that such omission was made without any reasonable and probable cause, then and in either of the said cases, it shall be lawful for the said Revising Barrister to order the Party having so objected, or having made such omission, to pay to the Party objected to or omitted, the costs incurred by him in consequence of such objection or omission, and in supporting his title to remain on the List of Voters; and the Revising Barrister shall thereupon tax such costs, and make and deliver to the Person objected to or omitted as aforesaid, an Order or Certificate, signed by him, for the payment to such Person by the Party objecting or omitting as aforesaid of the amount of such taxed costs: Provided always, That in no case shall the Revising Barrister tax any such costs to a greater amount than the sum of Ten Pounds, nor shall more than the sum of Ten Pounds be recoverable by virtue

virtue of any such Order or Certificate: Provided also, That the Revising Barrister shall have no power to award the payment of any costs by any person in respect of an Objection made by him to the insertion of the Name of any Person for the first time, on any Register or List of Voters.

57. Fines and Costs to be recovered by distress and sale of the Party's Goods.

And be it Enacted, That in case the Person ordered by any such order or certificate to pay any sum of money by way of Fine, or for Costs as aforesaid, shall not pay the same when demanded, or in case any person liable to pay the sum of money mentioned in the certificate of the Chief Revising Barrister, in respect of such costs of appeal as hereinbefore mentioned, shall not pay the same when demanded, then and in either of the said cases it shall be lawful for any Justice of the Peace of the county, riding, parts or division of a county, or for the city or borough to which shall belong the List of Voters respecting which such order or certificate shall have been made by the Revising Barrister or Chief Revising Barrister, as the case may be, and every such Justice is hereby required, upon due proof to him made that a copy of the said Order or Certificate hath been served upon such Person, and that the sum of money therein mentioned hath been duly demanded of him, and that he hath refused or neglected to pay the same, to cause the said sum of money to be levied by distress and sale of the goods and chattels of the said Party, together with the expenses of such levy; and the said Justice shall make his warrant for such levy under his hand and seal, according to the Form numbered (2) in the Schedule (IV.) to this Act annexed, or to the like effect, and no Certiorari or other writ or process for the removal of any such order or certificate or warrant, or any proceedings thereon, into any of His Majesty's Courts at *Westminster*, shall be allowed or granted: Provided always, That nothing herein contained as to any such Fine as aforesaid, shall in any way affect or abridge the right of action against any High Constable or Overseer, according to the form and effect of the said recited Act in that behalf.

58. Copies of the Registers to be printed for sale.

And be it Enacted, That the Clerk of the Peace of every county, riding, parts or division of a county shall cause to be printed Copies of the Register of Voters for his county, riding, parts or division of a county, and shall sell such copies at a reasonable price to all Persons applying for the same; and the Monies arising from the sale thereof shall be accounted for to the Treasurer of the county, riding, parts or division; and the Returning Officer of every city or borough shall cause to be printed Copies of the Register of Voters for such city or borough, and shall sell such copies at a reasonable price to all Persons applying for the same; and the Monies arising from the last-mentioned sale shall be accounted for by such Returning Officer to the Overseers of the several parishes and townships within the said city or borough, in proportion to the number of Persons belonging to each parish or township,

ship, placed on the Register of Voters, and shall be applied by the said Overseers to the same purposes as Monies collected for the relief of the Poor; and the names of the "Disallowed Claimants" and the "Expunged Names" shall be printed at the end of such Register of Voters, but in such a manner as not to be mingled with the names of the Voters.

Counties.

59. Expenses of Clerks of the Peace and High Constables, &c. how to be defrayed.

And be it Enacted, That all Expenses incurred by the Clerk of the Peace of any county, riding, parts or division of a county, and by the High Constables within such county, riding, parts or division of a county in carrying into effect the provisions of this Act, shall be defrayed by the Treasurer of such county, riding or parts, out of any public Money in his hands, and he shall be allowed all such payments in his Accounts: Provided always, That no such Expenses shall be so defrayed, unless the Account thereof be laid before the Justices of the Peace at the next Quarter Sessions after such Expenses shall have been incurred, and be allowed by the Court.

Counties, Cities and Boroughs.

60. Expenses of Overseers, Returning Officers, &c. how to be defrayed.

And be it Enacted, That all Expenses incurred by the Overseers of any parish or township in carrying into effect the provisions of this Act, shall be defrayed out of the Money collected for the relief of the Poor in such parish or township; and that all Expenses incurred by the Returning Officer and Town Clerk of any city or borough in carrying the provisions of this Act into effect, shall be defrayed by the Overseers of the Poor of the several parishes and townships within such city or borough or place sharing in the election therewith, out of the Money collected for the use of the Poor in such parishes and townships, in proportion to the number of Persons belonging to each parish or township, placed on the Register of Voters: Provided always, That no Expenses so incurred by any Overseer, Returning Officer or Town Clerk under this Act shall be so defrayed, unless the Account be laid before the Revising Barrister and be allowed by him.

Counties.

61. Provision as to the right of voting of Trustees and Mortgagees.

AND whereas it is enacted by the said recited Act, that no Person should be allowed to have any Vote in the Election of a Knight or Knights of the Shire for or by reason of any trust estate or mortgage, unless such Trustee or Mortgagee be in actual possession or receipt of the rents and profits of the same estate: AND whereas doubts have arisen as to the true intent and meaning of such last-mentioned enactment; BE it therefore Declared and Enacted, That no mortgagee shall have any vote in the Election of a Knight or Knights of a Shire, as a Mortgagee or Trustee for or by reason of any mortgage estate, unless he be in actual possession or receipt of the rents and profits of such estate for his own use; and that no Trustee shall have any vote in any such election by reason of any trust estate unless he be in actual possession or receipt of the rents and profits of such estate for

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Counties.

for charitable uses, and be entitled by or in pursuance of the instrument creating the trust to exercise a control or disposition over the rents and profits of the same estate, or some portion of them, or to exercise a power in selecting from time to time the parties to be benefited thereby: Provided always, That where the number of such Trustees of any trust shall exceed the number of three, Three only of such Trustees shall be entitled to be placed on the Register of Voters in respect of such trust; and such Three shall be the Three Trustees who shall from time to time be the first named in the deed or instrument creating or regulating the trust.

Cities and Boroughs.

62.
As to occupancy of any Tenement jointly with other Tenements.

AND whereas it is enacted by the said recited Act, that in every city or borough which should return a Member or Members to serve in any future Parliament, every Male Person of full age, and not subject to any legal incapacity, who should occupy within such city or borough or within any place sharing in the election of such city or borough, as owner or tenant, any house, warehouse, counting-house, shop or other building, being either separately or jointly with any land within such city, borough or place occupied therewith by him as tenant under the same landlord, of the clear yearly value of not less than Ten Pounds, should, if duly registered according to the provisions thereinafter contained, be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such city or borough: AND whereas it is also enacted and provided, by the said recited Act, that no Person should be registered in any year unless he should have paid, on or before the Twentieth day of July in such year, all the Poor's Rates and Assessed Taxes which should have become payable from him in respect of such premises previously to the Sixth day of April then next preceding: AND whereas doubts have arisen as to the construction and meaning of certain parts of the said enactments; BE it therefore Declared and Enacted, That the occupation of any house, warehouse, counting-house, shop or other building, jointly with any other warehouse, counting-house, shop or other building, or with any number or combination of such premises, within any city or borough, and being together of the yearly value of not less than Ten Pounds, shall be deemed to be within the true intent and meaning of the said enactment.

63.
Tenement occupied with Land must be of 5*l.* clear yearly value.

And be it also Enacted, That no Person who shall occupy within any city or borough, any building or buildings, not being a dwelling-house jointly with any land, shall be entitled to vote in the Election of a Member or Members to serve in Parliament for any city or borough, in respect of the occupation of such premises, unless such building or buildings, when taken separately from such land, shall be of the clear yearly value of not less than Five Pounds.

64. As to Payment of Poor's Rate and Assessed Taxes.

And be it also Enacted, That every Person occupying such premises as in the said recited Act mentioned, of the clear yearly value of not less than Ten Pounds, who shall have paid, within One calendar Month, limited for that purpose in the notice to be fixed up by Overseers within Seven Days after the precept received by them from the Returning Officer as hereinbefore directed, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such premises during the year ending Three calendar Months before the expiration of such One calendar Month, shall have the same title to be registered in that year, as he would have had under ths said recited Act, by the payment on or before the Twentieth day of July of all the Poor Rates and Assessed Taxes, which would have become payable from him in respect of such premises previously to the Sixth day of April in the same year.

65. Clause (Z.) Regulation of period as to Qualification.

AND whereas it is Enacted by the said recited Act, That no Person shall be registered in any year as entitled to vote in the election of a Knight or Knights of the Shire to serve in Parliament in respect of his estate or interest in any lands or tenements as a Freeholder, Copyholder, Customary Tenant, or Tenant in ancient demesne, unless he shall have been in the actual possession thereof or in the receipt of the rents and profits thereof for his own use for Six calendar Months at least next previous to the last day of July in such year, nor in respect of any lands or tenements held by him as such Lessee or Assignee, or such Occupier and Tenant as in the said Act mentioned, unless he shall have been in the actual possession thereof, or in the receipt of the rents and profits thereof for his own use, as the case may require, for Twelve calendar Months next previous to the last day of July in such year, and that no Person occupying such premises in any city or borough as in the said Act mentioned, of the clear yearly value of not less than Ten Pounds, shall be registered in any year as entitled to vote in the Election of a Member or Members to serve in Parliament for such city or borough, unless he shall have occupied such premises for Twelve calendar Months next previous to the last day of July in such year, nor unless he shall have resided for Six calendar Months next previous to the last day of July in such year within the city or borough or place sharing in the Election therewith, or within such distance as therein mentioned; and that no Person shall be registered in any year as a Freeholder or Burgage Tenant entitled to vote in the Election of a Member or Members to serve in Parliament for any city or town, unless he shall have been in the actual possession of the freehold or burgage tenement, or in the receipt of the rents and profits thereof, for his own use for Twelve calendar Months next previous to the last day of July in such year, nor unless he shall have resided for Six calendar Months next previous to the last day of July in such year within such city or town or within such distance as therein mentioned; and that no Person shall be registered

registered in any year as entitled to vote in the Election of a Member or Members to serve in Parliament for any city or borough, either as a Burgess or Freeman, or in the city of *London* as a Freeman and Liveryman, unless he shall on the last day of July in such year be qualified in such manner as would entitle him then to vote if such day were the day of the Election, nor unless where he shall be a Burgess or Freeman, or Freeman and Liveryman of any city or borough, he shall have resided for Six calendar Months next previous to the last day of July in such year within such city or borough or within such distance as therein mentioned, nor unless where he shall be a Burgess or Freeman of some place sharing in the Election with any city or borough, he shall have resided for Six calendar Months next previous to the last day of July in such year within such place sharing as aforesaid, and that no Person shall be registered as entitled to vote in the Election of a Member or Members to serve in Parliament for any city or borough in virtue of some other qualification than as a Burgess or Freeman, or as a Freeman and Liveryman, or a Freeholder or Burgage Tenant, and according to the usages and customs of such city or borough, unless he shall on the last day of July in such year be qualified as such Elector in such manner as would entitle him then to vote if such day were the day of Election, nor unless where his qualification shall be in any city or borough, he shall have resided for Six calendar Months next previous to the last day of July in such year within such city or borough, or within such distance as therein mentioned, nor unless where his qualification shall be within any place sharing in the Election for any city or borough, he shall have resided for Six calendar Months next previous to the last day of July in such year within such place, and that Persons having a right to vote for the borough of *New Shoreham* or of *Cricklade*, *Aylesbury* or *East Retford* respectively, shall not be registered in any year unless they shall have resided for Six calendar Months next previous to the last day of July in such year within such Borough respectively, or within such distance as therein mentioned; and that no Person shall be entitled to be registered in any year as a Voter in the Election of a Member or Members to serve in Parliament for any city or borough, who shall within Twelve calendar Months next previous to the last day of July in such year have received parochial or other alms which by the law of Parliament disqualify from voting in the Election of Members to serve in Parliament; BE it therefore Enacted, That the said several spaces or periods of time required by the said recited Act for being in possession or receipt of the rents and profits, or in the occupation of any lands and tenements, or for residing or for being qualified as a Voter, or for not having received parochial relief or other disqualifying alms in order to be registered as entitled to vote in the Election of a Knight or Knights of the Shire, or of a Member or Members to serve in Parliament for any city or borough, instead of being reckoned from the last day of July, shall hereafter be reckoned from the days following

respectively; that is to say, in case of any qualification for voting for Knights of the Shire, then from the day on which the Overseers of any parish or township are hereby required to make out the List of Claimants to be inserted in the List of Voters for counties; and in case of any qualification for voting for Members to serve in Parliament for any borough, then from the day on which such Overseers are hereby required to make out the List of Persons entitled to vote in the Election of Members to serve in Parliament for such borough; and in the case of any qualification for voting as a Freeman for such Members as last aforesaid, then such space or period of time shall be reckoned from, or shall be the day on which the Town Clerk is hereby required to make out the List of Persons who shall be on the Register for the time being of Freemen and of Claimants to be inserted in the List as Freemen.

66. How distances to be calculated.

AND whereas doubts have arisen as to the proper mode of computing the distance of Seven statute Miles in the said recited Act mentioned and therein prescribed, as to the residence of Voters for any city or borough; BE it therefore Enacted, That the said distance shall be computed from the nearest point of the city or borough in a straight line: Provided always, That in cases where there is now, or shall hereafter be, a Map of any city or borough and of the county or counties surrounding the same, to the extent of more than Seven statute Miles, published under the authority and direction of the Principal Officers of His Majesty's Ordnance, such distance shall be measured and determined by the said Map.

67. Freeholders in New Shoreham, Cricklade, &c. need not be assessed to Land Tax.

AND whereas doubts have arisen whether, in order to entitle any Person to vote for the Borough of *New Shoreham*, or of *Cricklade*, *Aylesbury* or *East Retford* respectively, in respect of any freehold messuages, lands or tenements therein situate, it is necessary that the same should be assessed to the Land Tax; BE it therefore Declared and Enacted, That in order to entitle any Person to vote in any election of Members to serve in Parliament in respect of any freehold messuages, lands or tenements situate within the Borough of *New Shoreham*, *Cricklade*, *Aylesbury* or *East Retford* respectively, it shall not be necessary that the same shall be assessed to the Land Tax, any statute to the contrary notwithstanding.

Counties, Cities and Boroughs.

68. Clause as to putting Questions at the Poll repealed.

AND whereas it is enacted by the said recited Act, that certain Questions might be put to every Voter at the time of his tendering his vote in any Election: AND whereas it is expedient that all the provisions touching and concerning the said Questions, and the administering and taking of any oath at the time of polling should be repealed, and other provisions be enacted in lieu thereof; BE it therefore Enacted, That the said Provisions shall be and the same are hereby Repealed.

And

69. No Inquiry at time of Election, except as to identity of the Voter, and whether he has voted before at same Election, and except as to his having the Qualification mentioned in the Register.

And be it Enacted, That in all Elections whatever of a Member or Members to serve in Parliament no inquiry shall be permitted at the time of polling as to the right of any Person to vote, except only as follows; (that is to say) that the Returning Officer or his respective Deputy shall, if required on behalf of any Candidate, put to any Voter at the time of his tendering his vote, and not afterwards, the following Questions, or either of them:

1. Are you the same Person whose name appears as *A. B.* on the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

2. Have you already voted, either here or elsewhere, at this Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

And the Register shall be deemed and taken to be conclusive evidence that the Persons therein named continue to have the qualifications which are annexed to their names respectively in such Register, while such Register is in force; and if any Person shall wilfully make a false answer to either of the Questions aforesaid, he shall be deemed guilty of a Misdemeanor, and shall and may be indicted and punished accordingly; and the Returning Officer or his Deputy, or a Commissioner or Commissioners to be for that purpose by law appointed, shall, if required on behalf of any Candidate at the time aforesaid, administer an Oath, or (in case of a Quaker, Moravian or Separatist) an Affirmation, to any Voter in the following form:

Oath to be taken if required.

"YOU do swear [*or*, affirm, *as the case may be*] that you are the same Person whose name appears as *A. B.* on the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be*], and that you have not before voted, either here or elsewhere, at the present Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

"So help you GOD."

70. No other Oath to be taken.

And be it Enacted, That save as aforesaid it shall not be lawful to require any Voter at any Election whatever of a Member or Members to serve in Parliament to take any Oath or Affirmation, either in proof of his freehold or of his residence, age or other qualification or right to vote, any law or statute, local or general, to the contrary notwithstanding;

standing; nor to reject any vote tendered at any such Election by any person whose name shall be upon the Register of Voters in force for the time being, except by reason of its appearing to the Returning Officer or his Deputy, upon putting such Questions as aforesaid, or either of them, that the Person so claiming to vote is not the same Person whose name appears on such Register as aforesaid, or that he has previously voted at the same Election, or except by reason of such Person refusing to answer the said questions or either of them, or to take the said Oath, or make the said Affirmation, or to take or make the Oath or Affirmation against Bribery; and no Scrutiny shall hereafter be allowed by or before any Returning Officer with regard to any Vote given or tendered at any such Election; any law, statute or usage to the contrary notwithstanding.

No Scrutiny to be allowed.

71.
Clause (A.) For providing for the safe custody of Poll Books.

AND whereas it is enacted by the said recited Act, that at every contested Election for any county, riding or division of a county, city or borough in *England*, except the Borough of *Monmouth*, the Sheriff, Under Sheriff or Returning Officer should on the day therein mentioned, after the close of the Poll, openly break the seals on the several Poll Books, and cast up the number of Votes as they appear on the said several Books, and openly declare the state of the Poll, and make proclamation of the Member or Members chosen, not later than the time therein mentioned: And whereas no adequate provision has been made for the safe custody and production of the said Poll Books subsequent to such declaration of the Poll and proclamation of the Members chosen at any contested election, in consequence whereof great mischief and expense have arisen in cases of disputed Returns of Members to serve in Parliament; BE it therefore Enacted, That at every contested election of a Member or Members to serve in Parliament for any county, riding, parts or division of a county in *England* or *Wales*, or for the town of *Berwick-upon-Tweed*, the Sheriff, Under Sheriff or Returning Officer, after having declared the state of the Poll, and made proclamation of the Member or Members chosen to serve in Parliament in the manner provided for by the said hereinbefore in part recited Act, shall forthwith enclose and seal up the several Poll Books and tender the same to each of the Candidates, to be sealed by them respectively; and in case any Candidate shall neglect or refuse to seal the same, the Sheriff, Under Sheriff or Returning Officer shall thereupon endorse on one of the said Poll Books the fact of such neglect or refusal, and every such Sheriff, Under Sheriff or other Returning Officer shall transmit the said several Poll Books so sealed as aforesaid, to the Clerk of the Crown in the High Court of Chancery, to be by him kept and preserved, who shall endorse thereon the day upon which he received the same.

72.
CLAUSE (B.) Clerk of the Crown to deliver attested copies of Poll Books.

And be it further Enacted, That the Clerk of the Crown shall, if required in writing by any Candidate or Candidates at such election, or by any Petitioner who shall have entered into recognizances to prosecute a Petition against the Return, deliver to him or them, or his or their agent, an attested copy of the Poll Books taken at such Election, on payment of a reasonable charge for writing the same; and after such copy shall have been made, then the said Clerk of the Crown shall re-seal the said several books with his own seal.

73.
CLAUSE (C.) Clerk of the Crown to produce Poll Books before Election Committee if required.

And be it further Enacted, That the said Clerk of the Crown shall, upon receiving a Warrant signed by the Chairman of any Committee of the House of Commons appointed for the trial of Controverted Elections, produce, by himself or his agent, before such Committee the said several books so deposited with him as aforesaid, and such production shall be sufficient *primâ facie* proof of the authenticity of the said Poll Books.

74.
CLAUSE (D.) Penalty for wilful attempt contrary to Act.

And be it further Enacted, That every Sheriff, Under Sheriff, Clerk of the Peace, Town Clerk, Returning Officer or Clerk of the Crown, for every wilful misfearance, or act of commission or omission contrary to this Act, shall forfeit to any party aggrieved the sum of Five hundred Pounds, to be received by him or them, together with full costs of suit.

75.

AND whereas in and by the said recited Act it is provided, that upon petition to The House of Commons, complaining of an undue Election or Return of any Member or Members to serve in Parliament, any Petitioner or any Person defending such Election or Return shall be at liberty to impeach the correctness of the Register of Voters in force at the time of such Election, by proving that in consequence of the decision of the Barrister who shall have revised the Lists of Voters from which such Register shall have been formed, the Name of any Person who voted at such Election was improperly inserted or retained in such Register, or the name of any Person who tendered his vote at such Election improperly omitted from such Register, and the Select Committee appointed for the trial of such Petition shall alter the Poll taken at such Election according to the truth of the case, and shall report their determination thereupon to The House, and The House shall thereupon carry such determination into effect, and the Return shall be amended or the Election declared void, as the case may be, and the Register corrected accordingly, or such other order shall be made as to The House shall seem proper: AND whereas doubts have arisen as to the true intent and meaning of the said enactment with respect to the power and authority of any such Committee to inquire into the validity or invalidity of the Vote of any Person being on the Register of Voters in force at the time of such Election; BE it therefore

Counties, Cities and Boroughs.

Power to Committees on Election Petitions to decide as to right of voting

therefore Enacted, That it shall and may be lawful for any such Committee to inquire into and decide upon the right to vote of any Person who being upon the Register of Voters in force at the time of such Election, shall have voted in such Election, or not being upon such Register, shall have tendered his vote at such Election, in case the name of such Person shall have been specially retained upon such Register, or inserted therein, or expunged or omitted therefrom, by the express decision of the Revising Barrister who shall have revised the Lists of Voters from which such Register shall have been formed, or by the decision of the said Court of Appeal; and also that it shall and may be lawful to such Committee to inquire into and decide upon the right to vote of any Person who, being upon such Register, shall have voted in such Election, so far as the same may be disputed on the ground of legal incapacity at the time of his voting, under and by virtue of any statute now or hereafter to be in force, or on the ground of any other legal incapacity at the time of his voting, which may have arisen subsequently to the expiration of the time allowed for making out the List of Voters from which the Register of Voters in force at the time of such Election shall have been formed; but that, except in such cases or on such grounds as aforesaid, the Register of Voters in force at the time of such Election, shall be final and conclusive, to all intents and purposes, as to the right to vote in such Election of every Person who shall be upon such Register.

76. Clause (P.) Regulating the taking of Poll at Elections.

And be it Enacted, That at every contested Election of a Knight or Knights to serve in Parliament for any county, or for any riding, parts or division of a county, the Polling shall commence at Eight of the clock in the forenoon of the next day but two after the day fixed for the Election, and the Polling shall continue during such one day only; and no Poll shall be kept open later than Four of the clock in the afternoon: Provided always, That when such day next but two after the day fixed for the Election shall be Sunday, Good Friday or Christmas-day, then in the case it shall be Sunday, the Poll shall be on the Monday next following; and in the case it be Good Friday, then on the Saturday next following; and in the case it be Christmas-day, then on the next following day, if the same shall not be Sunday; and if it be Sunday, on the next following Monday: Provided always, That where the proceedings at any Election shall be interrupted or obstructed by any riot or open violence, whether such proceedings shall consist of the Nomination of Candidates or of the taking the Poll, the Sheriff or other Returning Officer, or the lawful Deputy of any Returning Officer shall not for such cause terminate the business of such Nomination, nor finally close the Poll, but shall adjourn the Nomination or the taking the Poll at the particular Polling Place or Places at which such interruption or obstruction shall have happened until the following day, and if necessary shall further adjourn

journ such Nomination or Poll (as the case may be) until such interruption or obstruction shall have ceased, when the Returning Officer or his Deputy shall again proceed with the business of the Nomination or with the taking the Poll (as the case may be), at the place or places at which the same respectively may have been interrupted or obstructed; and the day on which the business of the Nomination shall have been concluded shall be deemed to have been the day fixed for the Election, and the commencement of the Poll shall be regulated accordingly; and any day whereon the Poll shall have been so adjourned, shall not, as to such place or places, be reckoned the day of Polling at such Election, within the meaning of this Act; and whenever the Poll shall have been so adjourned by any Deputy of any Sheriff or other Returning Officer, such Deputy shall forthwith give notice of such Adjournment to the Sheriff or Returning Officer, who shall not finally declare the state of the Poll, or make proclamation of the Member or Members chosen, until the Poll so adjourned at such place or places as aforesaid shall have been finally closed, and the Poll Books delivered or transmitted to such Sheriff or other Returning Officer; any thing hereinbefore or in any other statute to the contrary notwithstanding: Provided always, That this Act shall not be taken to authorize an Adjournment to a Sunday, but that in every case in which the day to which the Adjournment would otherwise be made shall happen to be a Sunday, Good Friday or Christmas-day, that day or days shall be passed over, and the following shall be the day to which the Adjournment shall be made.

77. Clause (E.) Number of Polling Places may be increased.

AND whereas by an Act passed in the second year of the reign of His present Majesty King William the Fourth, intituled, "An Act to settle and determine the Divisions of Counties, and the Limits of Cities and Boroughs in *England* and *Wales*, in so far as respects the Elections of Members to serve in Parliament," it is among other things enacted, that certain places mentioned in the Schedule marked (N.) to such Act annexed, are to be the Polling Places where the Poll at contested Elections of Knights of the Shire is to be taken: And whereas it is expedient that provision should be made to increase, if necessary, the number of such Polling Places; BE it therefore Enacted, That it shall be lawful for His Majesty, by and with the advice of His most honourable Privy Council, to declare and direct, on requisition so to do from the Justices in Quarter Sessions assembled, or on requisition so to do from the High Sheriff of any county, that such other places as His Majesty shall think fit shall be additional Polling Places for taking the Poll at the contested Election of a Knight or Knights to serve in Parliament for any such county, riding, parts or division of a county; and that such parts of such county, ridings, parts or division of a county, shall form districts belonging to such polling place, the Voters of which districts, or whose qualification lies within such districts respectively, shall give their votes

Counties, Cities and Boroughs.

at the polling places belonging to such districts respectively, as His Majesty, with such advice as aforesaid, shall think fit; and every such direction or order for creating additional Polling Places, and districts belonging to such Polling Places, shall be certified under the hand of one of the Clerks in ordinary of His Majesty's Privy Council, and when so certified shall be published in The *London* Gazette; and every such Direction or Order when so published in The *London* Gazette, shall have the like power and effect as if the same had been made by the authority of Parliament; and all Sheriffs, Clerks of the Peace, Returning Officers and other persons concerned shall pay due attention to the same.

78. Clause (A. A.) Act may be amended this Session.

And be it Enacted, That this Act may be altered, varied or repealed, by any Act to be passed in this present Session of Parliament.

SCHEDULES

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SCHEDULES to which this ACT refers.

Schedule I.

FORMS FOR COUNTIES.

No. 1.

WARRANT of the CLERK of the PEACE to the HIGH CONSTABLE.

County of } TO the High Constable [*or*, to one
to wit. } of the High Constables of the Hundred, or other like district] of within the said County.

You are hereby required to do as follows:

First, Within Ten days after the receipt of this Warrant you are to make out your precepts (the printed Forms of which are herewith sent to you) to the Overseers of the Poor of the several Parishes and Townships within your Constablewick; and you are within those Ten days to deliver one of your said precepts to the Overseers of the Poor of every such Parish and Township, together with a sufficient number of the printed Forms (herewith also sent to you), of the Notices and Lists, and of the Copies of such parts of the Register of Voters as relates to the Parish or Township of those Overseers, for their use; and if you find that the number herewith sent to you is not sufficient for all the places within your Constablewick, you are to apply to me for more.

Secondly.—On the you are to receive from the Overseers of every Parish and Township within your Constablewick a copy of the List of Claimants in such Parish or Township, a copy of the part of the Register relating to such Parish or Township, and a copy of the List of Persons objected to as Voters therein, together with the original Notices of Objection and original Notices of Claim, and Copies of Notices of Objection delivered by the said Overseers; and immediately after receiving the same, you are to deliver all such Copies of Lists, parts of the Register and original Notices of Claim and original Notices and Copies of Notices of Objection to the Clerk of the Peace.

Thirdly.—Immediately after receiving Notice from the Clerk of the Peace of the times and places of the holding of the Courts for revising the Lists of Voters, you are to cause notice thereof to be fixed up in some public and conspicuous situation at every place within your Constablewick appointed for the holding of any such Court; and you are also to give Notice to the Overseers of every Parish or Township within your Constablewick of the time and place of holding the Court for revising the List of such Parish or Township, requiring them to attend the same.

Fourthly.—You are to attend the Courts to be held for revising the Lists of any Parish or Township within your Constablewick.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand, at in the said County, the day of

Clerk of the Peace for the said County, [Riding, &c.]

No. 2.

PRECEPT of the HIGH CONSTABLE to the OVERSEERS.

County of } TO the Overseers of the Poor of the Parish of
to wit. } [*or*, of the Township of]

By virtue of a Warrant from the Clerk of the Peace of the said County [Riding, &c.] unto me directed, you are hereby required to do as follows:

First.—On or before the *Seven Days from the date of this Precept*, you are to cause to be fixed on or near the outer doors of all the Churches and Chapels within your Parish [*or*, Township], or if there be no Church or Chapel therein, then to be fixed in some public or conspicuous situation within the same, a Notice (printed Forms of which are herewith sent), marked having first signed the same; and such Notice is to bear date the same day on which it is so fixed.

Secondly.—On or before the expiration of Fifteen Days next after a calendar Month from the day on which such Notice shall have been fixed by you, you are to make out an alphabetical List of all persons who, within a calendar Month from the day on which such Notice shall have been fixed up by you, shall have delivered or transmitted to you their claims as Voters for the County [Riding, &c.], in which your Parish [*or*, Township] lies, in respect of any property situate wholly or in part within your Parish [*or*, Township]; and in making out such List, you are to write or cause to be written the christian name and surname of every such person at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the Property, or the name of the occupier, according as the same are stated in the claim in the proper columns of the printed Form or List herewith sent. If you have reasonable cause to believe that any person so claiming, or that any person who is upon the part of the Register for your Parish [*or*, Township] herewith also sent, is not entitled to have his Name on the new Register about to be made, you are to add the word "objected" opposite his name in the margin of the List, or in the margin of the part of the Register; and you are also to add the word "dead" opposite the name of any person in the margin of such part of the Register whom you shall have reasonable cause to believe to be dead. Having done thus, you are to sign the said List of Claimants, and to cause a sufficient number of Copies of such List to be written or printed, and then you are to cause one of such Copies of the

the said List, and also one Copy of the part of the said Register to be fixed on or near the outer doors of every Church or Chapel within your Parish [*or*, Township], or if there be no Church or Chapel there, then to be fixed in some public or conspicuous place situate within the same, on the Two Sundays next after the said day of [*the day on or before which the alphabetical List is to be made.*]

Thirdly.—You are to keep a Copy of such List of Claimants, and a Copy of such part of the Register, to be perused by any Person without payment of any Fee, at all reasonable hours during the Fourteen Days next after the said day of [*same date as the last*]; and you are also to cause to be written or printed, Copies of the said List of Claimants, to be delivered to any person applying for the same on payment of a reasonable price for such Copy.

Fourthly.—If you shall have added the word "objected" opposite the name of any Person in the List of Claimants, or in the part of the Register, you must on or before the expiration of Twenty-eight Days from the said day of [*same date as the last*] give such person a notice in writing according to the Form numbered (herewith sent); and in such Notice must be stated the grounds of objection, and it must also be signed by you, or one of you. If the Place of Abode of the Person objected to, as described in the List or part of the Register be not within your Parish [*or*, Township] ,you may send the Notice by the post on or before the expiration of such Twenty-eight Days, directed to him at the Place of Abode stated in the List or part of the Register, but it must be sent free of postage, or the postage thereof must be paid.

Fifthly.—Immediately after the expiration of the said Twenty-eight Days, you are to make out a List according to the Form numbered (herewith sent), containing the name of every Person against whom a Notice of Objection shall have been given to you, or any one of you, on or before that day; and you are to cause copies of such List to be fixed (in the same Places as the other List) on the Two Sundays after the expiration of the said Twenty-eight Days, and you are to keep Copies of such List of Persons objected to, to be perused by any person without payment of any fee, at all reasonable hours during the Fourteen Days following the said Twenty-eight Days, and you are to deliver a Copy of such List to any person requiring the same, on payment of a sum not exceeding Three Half-pence for every Ninety Words.

Sixthly.—Within Four Days next after the said Twenty-eight Days, you are to deliver to the High Constable of the Hundred [*or*, like District] wherein your Parish [*or*, Township] is situate, a Copy of the List of Claimants, a Copy of the part of the Register, and also a Copy of the List of Persons objected to, together with the original Notices of Objection and original Notices of Claims, and Copies of all Notices of Objection delivered by yourself or any of you.

Seventhly.—You are to attend the Court to be held for revising the Lists relating to your Parish [*or*, Township]; and you are to deliver to the Barrister or Barristers holding such Court, the List of Claimants, and the List of Persons objected to, so made out and signed by you as aforesaid.

If you omit any of these matters, you will be subject to certain Penalties. Given under my hand this day of

High Constable.

No. 3.

NOTICE to be given by the OVERSEERS.

WE hereby give Notice, That all persons entitled to vote in the election of a Knight or Knights of the Shire for the County [*or*, for the Riding, &c.] of in respect of any property situate wholly or in part within this Parish [*or*, Township] who are not upon the Register of Voters now in force, or who being upon the Register shall not retain the same qualification, or continue in the same place of abode as described in such Register, are hereby required to deliver or transmit to us, or any one of us, within One calendar Month from the date hereof, a Notice in writing by them signed of their claim as such Voters according to the Form hereunder set forth. Any person who is upon the present Register may also make his claim, if he thinks fit; but it is not necessary that he should do so if he has the same qualification and place of abode as now described in the Register.

Dated this day of

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish [*or*, Township] of

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No. 4.

FORM of NOTICE of CLAIM to be given to the OVERSEERS.

TO the Overseers of the Parish of [*or*, Township of]

I HEREBY give you Notice, That I claim to be inserted in the List of Voters for the County of [*or*, for the Riding, Parts, or Division of the County of *as the case may be*], and that the particulars of my place of abode and qualification are below. Dated the day of in the year

(signed) *John Adams.*

Place of abode, *Cheapside, London.*

Nature of qualification, freehold house, [*or*, warehouse, stable, land, field, annuity, rent-charge, &c. *as the case may be, giving such a description of the property as may serve to identify it.*]

Where situate in this Parish [*or*, Township], *King Street.* [*If the property be not situate in any street, lane, or other like place, then say,* "Name of the property, *Highfield Farm*," *or*, "Name of the occupying tenant, *John Edwards.*"]

No. 5.

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No. 5.

County of to wit, [*or*, Riding, Parts, or Division of the County of *as the case may be.*] THE LIST of PERSONS entitled to vote in the Election of a Knight [*or*, Knights] of the Shire for the County of [*or*, for the Riding, Parts, or Division of the County of *as the case may be*], in respect of Property situate within the Parish of [*or*, Township, *as the case may be.*]

Christian Name and Surname of each Voter, at full Length.	PLACE of ABODE.	NATURE of QUALIFICATION.	Street, Lane, or other like Place in this Parish [*or*, Township] where the Property is situate, or Name of the Property, or Name of the Tenant.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the said Parish [*or*, Township.]

No. 6.

NOTICE of OBJECTION, to be given to the OVERSEERS.

TO the Overseers of the Parish of [*or*, Township, *as the case may be.*]

I HEREBY give you Notice, That I object to the name of William Ball being retained in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of] on the following ground: [*here must be stated shortly the ground of objection, as that the Party objected to has no Freehold, or that he has not had the Property for a sufficient time, or that it is not of sufficient value, or that he is personally disqualified, as being a minor or officer of revenue, &c.*

Dated the day of in the year

(signed) *A. B.* of [*Place of Abode.*]

No. 7.

FORM of NOTICE of OBJECTION, to be given to Parties.

To Mr. *William Ball, Market-street, Lancaster.*

I HEREBY give you Notice, That I object to your Name being retained in the List of Voters for the County of [*or*, for the Riding, Part, or Division of the County of] on the following ground: [*here must be stated shortly the ground of objection, as that the Party objected to has no Freehold, or*

that he has not had the Property for a sufficient time, or that it is not of sufficient value, or that he is personally disqualified as being a minor or officer of revenue, &c.]

Dated this day of One thousand eight hundred and

(signed) *A. B.* [*Place of Abode.*]

No. 8.

NOTICE of OBJECTION to be given by the OVERSEERS to Parties to whom they have objected in the margin of the List, or part of the Register.

To Mr. *William Ball, Market-street, Lancaster.*

TAKE Notice, That the Overseers of the Parish of [*or,* Township of] have objected to your Name being retained in the List of Voters for the County of [*or,* for the Riding, &c.] on the following ground: [*here must be stated shortly the ground of objection, as in the preceding Forms* 6 *and* 7.]

Dated this day of One thousand eight hundred and

(signed) *A. B.*
One of the Overseers of

No. 9.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to, as not being entitled to have their Names retained in the List of Voters for the County of [*or,* for the Riding, Parts or Division of the County of]

Christian Name and Surname of each Person objected to.	PLACE of ABODE.	Nature of the supposed Qualification.	Street, Lane, or other like Place in this Parish [*or,* Township] where the Property is situate, or Name of the Property, or Name of the Tenant.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish of [*or,* Township, *as the case may be.*]

Schedule

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Schedule II.

FORMS FOR CITIES AND BOROUGHS.

No. 1.

PRECEPT of the RETURNING OFFICER to the OVERSEERS.

City [*or*, Borough] of in the County of [*or*, Riding, &c.] (To wit.) } TO the Overseers of the Poor of the Parish of [*or*, to the Overseer of the Poor of the Township of]

YOU are hereby required to do as follows:—First, On or before the [*Seven Days from the date hereof*], you are to cause to be fixed on or near the outer door of all Churches and Chapels within your Parish or Township, or if there be no Church or Chapel therein, then to be fixed in some public and conspicuous situation within the same respectively, a notice (printed Forms of which are herewith sent) marked No. 2, and such Notice must bear date the same day on which it is fixed up by you.

Secondly.—Within Ten Days next after a calendar Month from the date of such Notice, you are to make out, or cause to be made out, an alphabetical List of all Persons who may be entitled to vote in the Election of a Member or Members to serve in any future Parliament for this City [*or*, Borough] in respect of the occupation of premises of the clear yearly value of Ten Pounds, situate wholly or in part within your Parish or Township; and another alphabetical List of all other Persons (except Freemen) who may be entitled to vote in the Election for this City [*or*, Borough] by virtue of any other right whatsoever; and in making out each of the said Lists you must write, or cause to be written, the christian name and surname of every such Person at full length, together with the nature of his qualification; and when any Person shall be entitled to vote in respect of any property, you must state the name of the street, lane or other description of the place where such property may be situate; and when any Person shall be entitled to vote otherwise than in respect of any property, then you must state the name of the street, lane or other description of the place of abode of such Person; and after you have made out such Lists, you must sign them, and cause a sufficient number of copies thereof to be written or printed, and then you are to cause one copy of each List to be fixed on or near the outer doors of all the Churches and Chapels in your Parish or Township, or if there is no Church or Chapel therein, then you must cause them to be fixed in some public and conspicuous situation within the same, on the Two Sundays next after the expiration of the said Ten Days.

Thirdly.—You are to keep copies of such Lists to be perused by any person, without payment of any fee, at all reasonable hours, during the first Fourteen Days after the said Ten Days; and you are to deliver copies thereof to any person applying for the same, on payment of a reasonable price for each copy, such price not exceeding Three-halfpence for every Ninety Words.

Fourthly.—Immediately after the Twenty-eight Days next following the said Ten Days, you are to make out two Lists; one, a List according to the Form numbered , containing the name of every person who shall have given or have caused to be given to you, or any one of you, on or before that day, his claim to have his Name inserted in the List of your Parish [*or*, Township]; and also another List, according to the Form numbered , containing the Name of every Person against whom a notice of objection shall have been given to you, or any one of you, on or before that day, as not being entitled to have his Name inserted in any List for your City [*or*, Borough]; and you are to cause one copy of each of such Lists to be fixed (in the same places as the other List), on the Two Sundays next after the said Twenty-eight Days.

Fifthly.—You are to keep Copies of these Lists, and you are to allow the same, and also the Notices of Objection, to be perused by any Person, without payment of any fee, at all reasonable hours, during Fourteen Days next after the said Twenty-eight Days, and you are to deliver a copy of each of such Lists to any Person requiring the same, on the payment of a reasonable price, such price not exceeding Three-halfpence for every Ninety Words.

Sixthly.—Within Four Days after the said Twenty-eight Days, you are to deliver to me a Copy of the List of Voters, a Copy of the List of Persons who shall have claimed, and a Copy of the List of Persons objected to, so respectively made out by you as aforesaid, and the original Notices of Objection, and the original Notices of Claim given to you.

Seventhly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [*or*, Borough], and at the opening of such Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists made out by you, and signed by you.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand this day of
One thousand eight hundred

(signed) *A. B.*
Returning Officer for the said Borough.

No. 2.

No. 2.

City [*or*, Borough] of in the County of (To wit.) } WE hereby give Notice, That no Person will be entitled to have his Name inserted in any List of Voters for this City [*or*, Borough], now about to be made in respect of the occupation of Premises of the clear yearly value of Ten Pounds, whether situate wholly or in part within this Parish [*or*, Township], unless he shall pay, on or before One calendar Month from the date hereof, all the Poors' Rates and Assessed Taxes which have become due from him in respect of such Premises, during the year ending Three calendar Months next before the expiration of the said One calendar Month; and all Persons who omit to make such payment will be incapable of being upon the next Register of Voters for this City or Borough. Dated this day of One thousand eight hundred

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish [*or*, Township] of

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No. 3.

THE LIST of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of in respect of Property occupied within the Parish [*or*, Township] of by virtue of an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in *England* and *Wales*."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish, where the Property is situate.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the said Parish [*or*, Township] of

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No. 4.

THE LIST of all PERSONS (not being Freemen), entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of in respect of any rights other than those conferred by an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in *England* and *Wales*."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish where the Property is situate. [*If the Right of Voting does not depend on Property, then state the Place of Abode.*]

(signed) *A. B.*
C. D.
E. F.
} Overseers of the Parish of [*or*, Township] within the said City [*or*, Borough] of

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No. 5.

NOTICE of CLAIM.

TO the Overseers of the Parish [*or*, Township] of

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of and that my Qualification consists of a House in Duke-street in your Parish [*or otherwise, as the case may be.*] Dated the day of One thousand eight hundred and Thirty-

(signed) *John Allen*, of [*Place of Abode.*]

No. 6.

No. 6.

LIST of CLAIMANTS, to be published by the OVERSEERS.

THE following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of

Christian Name and Surname of each Claimant at full length.	Nature of Qualification.	Street, Lane, or other Place in this Parish, where the Property is situate. [*If the Right does not depend on Property, state the Place of Abode.*]

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of, &c.

No. 7.

PRECEPT of RETURNING OFFICER to the TOWN CLERK.

City [*or*, Borough] of / in the County of / (To wit.) } TO the Town Clerk of the City [*or*, Borough] of in the County of

YOU are hereby required to do as follows:—First, On or before the [*Ten Days from the date of the Precept*], you are to cause to be fixed, on or near the outer door of the Town-hall, or if there be no Town-hall, then to be fixed in some public and conspicuous place within your City or Borough, a Notice, (printed Forms of which are sent herewith,) and such Notice must bear date the same day on which it is fixed up by you, annexed to an Act of Parliament, intituled, "An Act for the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament for *England* and *Wales*."

Secondly.—Within Ten Days next after a calendar Month from the date of such Notice, you are to make out, or cause to be made out, an alphabetical List, containing the names of all Persons who shall be upon the Register for your City or Borough as Freemen; and also the names of all Persons who shall have claimed to be inserted in the List as such Freemen according to the said Notice: and in making out such List, the christian name and surname of every Person is to be written at full length, together with the place of his Abode, as set forth in the Register or Claim respectively; and if you have reasonable cause to believe that any person who is upon the Register, or any person so claiming, is not entitled to have his name upon the Register as a Freeman, you are to add the word "objected" opposite the name of every such person on the margin of the List; and you are also to

add the word "dead" opposite to the name of every person, in the margin of such List, whom you have reasonable cause to believe to be dead; and you are to sign such List; and to every person so objected to by you, you are, within Twenty-eight Days from the said Ten Days, to give a Notice according to the printed Form sent herewith; stating strictly the ground of your objection, and such Notice must be signed by you, and must be either given to the party objected to, or left at his usual place of abode; and you must keep a copy of such Notice.

Thirdly.—You are to cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within your city or borough, on the Two Sundays next after the said Ten Days; and you are to keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the first Fourteen Days after the said Ten Days; and you are to cause to be written or printed copies thereof, and to deliver a copy to all persons applying for the same, on payment of a reasonable price for each copy, not exceeding Three Half-pence for every Ninety Words.

Fourthly.—Immediately after the said Twenty-eight Days, you are to make out a List, according to the printed Form sent herewith, including the name of every person against whom a notice of objection shall have been given to you on or before that day, and you are to cause a Copy of such List to be fixed in the same place as the other List on the Two Sundays next after the said Twenty-eight Days; and you are to keep Copies of such List, and are to allow the same, and also the notices of objection, to be perused by any Person without payment of any fee, at all reasonable hours during the Fourteen Days next after the said Twenty-eight Days, and you are to deliver copies of such List, to any person requiring the same, on payment of a reasonable price, not exceeding Three Half-pence for every Ninety Words.

Fifthly.—Within Four Days after the said Twenty-eight Days, you are to deliver to me a Copy of the List of Persons entitled to vote as Freemen, and claiming to be inserted in the List of Freemen, and a copy of the List of Persons objected to as Freemen so respectively made out by you as aforesaid, and the original Notices of objection, and the original Notices of claim given to you, and copies of the Notices of objection delivered by you.

Sixthly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [*or*, Borough]; and at the opening of the said Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists so made out and signed by you as aforesaid.

Given under my hand the day of
One thousand eight hundred and

A. B. Returning Officer.

No. 8.

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No. 8.

City [*or*, Borough] of
in the County of
(To wit.)

NOTICE is hereby given, That all persons entitled to vote as Freemen in the Election of a Member or Members to serve in Parliament for this City [*or*, Borough], who are not upon the Register of Voters now in force, or who being upon such Register do not continue in the same place of abode as described in such Register, are to deliver or transmit to the Town Clerk of the said City [*or*, Borough] within One calendar Month from the date hereof, a Notice in writing by them signed, of their claim as such Freemen, according to the Form hereunder set forth. Dated this day of

A. B., Town Clerk of

No. 9.

To the TOWN CLERK of the City [*or*, Borough] of

I HEREBY give you Notice, That I claim to have my name inserted in the List made by you of Persons entitled as Freemen to vote in the Election of a Member [*or*, Members] to serve in Parliament for the City [*or*, Borough] of and that my qualification is as Freeman of and that I reside in street in this City [*or*, Borough.] Dated this day of One thousand eight hundred and

(signed) *John Allen.*

No. 10.

LIST of FREEMEN and CLAIMANTS to be published by the TOWN CLERK.

THE List of Freemen of the City [*or*, Borough] of [*or*, of being a Place sharing in the Election with the City or Borough of] entitled to vote in the Election of a Member [*or*, Members] for the said City or Borough.

Christian Name and Surname of each Freeman at full length.	Place of his Abode.

THE following Persons claim to have their Names inserted in the List of the Freemen of the City [*or*, Borough] of [*or*, of being a place sharing in the Election with the City [*or*, Borough] of , entitled to vote in the Election of a Member [*or*, Members] for the said City [*or*, Borough].

Christian Name and Surname of each Person at full length.	Place of his Abode.

No. 11.

NOTICE of OBJECTION.

To the Overseers of the Parish [*or*, Township] of
[*or*, To the Town Clerk of the City, *or*, Borough of
or otherwise, as the case may be.]

I HEREBY give you Notice, That I object to the Name of *Thomas Bates* being retained in the List of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of
on the following ground: [*here must be stated strictly the ground of objection, as that the Party has not been rated long enough, or is not an Occupier of sufficient value, or that he is personally disqualified as being a minor or an officer of revenue, &c.*]
Dated this day of

(signed) *A. B.* of [*Place of Abode.*]

No. 12.

FORM of NOTICE of OBJECTION to be given to PARTIES.

To Mr. *Thomas Bates.*

I HEREBY give you Notice, That I object to your Name being retained on the List of Persons entitled to vote in the Election of Members [*or*, a Member] for the City [*or*, Borough] of
on the following ground [*here state strictly the ground of objection.*]
Dated this day of

(signed) *A. B.* [*Place of Abode.*]

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No. 13.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Persons qualified to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of

Christian Name and Surname of each Person objected to.	Nature of the supposed Qualification.	Street, Lane or other Place in the Parish where the Property is situate. [*If the Right does not depend on Property, state the Place of Abode.*]

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of, &c.

No. 14.

THE LIST of PERSONS objected to, to be published by the TOWN CLERKS.

THE following Persons have been objected to as having no right to be retained on the List of the Freemen of the City [*or*, Borough] of [*or*, of being a Place sharing in the Election with the City [*or*, Borough] of] entitled to vote in the Election of a Member [*or*, Members] for the said City [*or*, Borough.]

Christian and Surname of each Person objected to.	Place of his Abode.

(signed) *A. B.* { Town Clerk of the said City [*or*, Borough, *or*, Place.]

Schedule III.

A LIST of such of the FREEMEN of LONDON as are Liverymen of the Company of entitled to vote in the Election of Members for the City of LONDON.

Christian Name and Surname of the Voter at full length.	Street, Lane, or other description of his Place of Abode.

(signed) *A. B.*, Clerk.

No. 1.

NOTICE of CLAIM to be given to the RETURNING OFFICER or OFFICERS of the City of LONDON, and to the CLERKS of the respective Livery Companies.

To the Returning Officer or Officers of the City of *London* [*or*, To the Clerk of the Company of]

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by the Clerk of the Company of [*or, in case of Notice to the Clerk, say*, made by you] of the Liverymen of the said Company [*or, in case of Notice to the Clerk, say*, of the Liverymen of the Company of] entitled to vote in the Election of Members for the City of *London*. Dated the day of

(signed) *A. B.* {[*Place of Abode.* / *Name of Company.*]

No. 2.

LIST of CLAIMANTS, to be published by the RETURNING OFFICER or OFFICERS of the City of LONDON.

The following Persons claim to have their Names inserted in the List of Persons entitled to vote as Freemen of the City of *London*, and Liverymen of the several Companies herein specified, in the Election of Members for the City of *London*.

Christian Name and Surname of Claimants at full length.	Place of Abode, and Name of the Company.

Dated the day of

(signed) *A. B.*, *C. D.* } Sheriffs of the City of *London*.

No. 3.

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No. 3.

NOTICE of OBJECTION to PARTIES inserted in the LIST of the LIVERY.

To Mr. *William Baker.*

I HEREBY give you Notice, That I object to your Name being retained in the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City [*here state shortly the ground or grounds of objection, as that he is non-resident, or has received parochial relief within Twelve Months,* &c.] Dated the day of

(signed) *A. B.* [*Place of Abode.*]

No. 4.

NOTICE of OBJECTION to be given to the RETURNING OFFICER or OFFICERS of the City of LONDON.

To the Returning Officer or Officers of the City of *London.*

I HEREBY give you Notice, That I object to the Name of *William Baker* being retained in the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City, on the following ground [*here must be stated shortly the ground of objection, as that he is personally disqualified, &c.*]

Dated this day of

(signed) *A. B.* of [*Place of Abode.*]

No. 5.

NOTICE of OMISSION to PARTIES omitted from the LIST of LIVERYMEN.

To Mr. *Thomas Bates.*

I HEREBY give you Notice, That I have omitted your Name from the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City, for the following reason [*or*, reasons] [*here must be stated shortly the reason or reasons of omission.*]

Dated this day of

(signed) *A. B.* { Clerk of the Company of

No. 6.

NOTICE of OMISSION to be given to the RETURNING OFFICERS of the City of LONDON.

To the Returning Officers of the City of *London.*

I HEREBY give you Notice, That I have omitted the Name of *Thomas Bates* from the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of . . in the Election of Members for the said City, for the reasons following [*here must be stated shortly the reasons.*]

No. 7.

THE LIST of PERSONS objected to, to be published by the RETURNING OFFICER or OFFICERS of the City of LONDON.

THE following Persons have been objected to as having no right to be retained on the List of Persons entitled to vote as Freemen of the City of London and Liverymen of the several Companies herein specified in the Election of Members for the said City.

Christian and Surname of each Person objected to.	Place of his Abode.

Dated the . . day of

(signed) . . *A. B.* } Sheriffs of the City
C. D. } of *London.*

Schedule

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Schedule IV.

No. 1.

LIST of PERSONS expunged, to be signed by the BARRISTER.

THE following Persons have been expunged by me, from the List of the Parish of as not being entitled to have their Names inserted in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of .]

NAME.	PLACE of ABODE.	Nature of supposed Qualification.	Street, Lane or other Place where Property is situate, or Name of Property or Tenant.

(signed) *A. B.* Revising Barrister for the County of [*or*, Riding, Parts or Division of the County of .]

No. 2.

FORM of JUSTICE'S WARRANT of DISTRESS.

[*Vide* CLAUSE 50.]

No. 3.

FORM of REVISING BARRISTER'S CERTIFICATE.

[*Vide* CLAUSE 48.]

Registration of Voters.

A

B I L L

[AS AMENDED ON SECOND RE-COMMITMENT]

FOR

The more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in *England* and *Wales*.

(*Prepared and brought in by Mr. Attorney General and Mr. Solicitor General.*)

Ordered, by The House of Commons, *to be Printed,*
8 *June* 1836.

A

B I L L

[AS AMENDED ON THIRD RE-COMMITMENT]

For the more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in *England* and *Wales*.

[N. B.—*The Clauses marked* (A.) *to* (C.) *and the* Fourth Schedule, *were added by the Committee*; *and the Clauses marked* (D.) *to* (M.) *and* Nos. 4 & 5 of Schedule III. *were added on the Re-Commitment*; *and the Clauses marked* (N.) *to* (U.) *and* Nos. 10 & 12 of Schedule II., Nos. 5 & 6 of Schedule III. *and* Nos. 2 & 3 of Schedule IV. *were added on the Second Re-Commitment*; *and the Clauses marked* (X.) *to* (DD.) *and* No. 13 of Schedule II., No. 8 of Schedule III., *and* Nos. 2, 3 & 4 of Schedule IV. *were added on the Third Re-commitment.*]

WHEREAS an Act was passed in the second year of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People in *England* and *Wales*:" Preamble: 2 Will. 4. c. 45.

And whereas the said Act contains divers provisions for the formation of Registers of Voters for Counties, Ridings, Parts and Divisions of Counties, and also for the formation of Registers of Voters for Cities and Boroughs:

And whereas it is expedient and necessary that some of the said provisions should be amended, and that further provisions should be made for the more effectual Registration of Persons entitled to vote in the Election of Members to serve in Parliament for *England* and *Wales*; and it is expedient for the better understanding of the Law touching such Registration that all provisions for the formation of such Registers should be consolidated into this Act;

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the

1. Certain Provisions of 2 Will. 4. c. 45, repealed.

Authority of the same, THAT from and after the Second day of November now next ensuing, all provisions in the said recited Act contained, touching and concerning the formation of the Register of Voters for any County, Riding, Parts or Division of a County, or for any City or Borough in *England* and *Wales*, or for the Town of *Berwick-upon-Tweed*, and touching and concerning the defraying of the Expenses to be incurred in carrying such provisions into effect, so far as the same are inconsistent with this Act, shall be and the same are hereby Repealed, except as to any such Register made or to be made previously to the said Second day of November, and except as to any matter or thing touching and concerning the same.

2. Clause (N.) Register of Voters in force on the 2d November 1836, to continue till formation of Register under provisions of this Act.

And be it Enacted, That the Register of Voters in force on the said Second day of November for any county, riding, parts or division of a county, city or borough in *England* or *Wales*, or for the town of *Berwick-upon-Tweed*, shall continue in force until the formation of a Register of Voters for such county, riding, parts or division of a county, city, borough or town, under the provisions of this Act.

3. This Act to be deemed part of the recited Act.

And be it Enacted, That this Act, when passed, shall be deemed and taken to be part of the said recited Act, as fully and effectually as if the same were incorporated therewith.

4. Clause (D.) Barristers to be appointed for the Revision of Lists of Voters.

And be it Enacted, That from and after the passing of this Act it shall be lawful for His Majesty to appoint Eleven Barristers, of not less than Five years' standing, or of Three years' standing at the Bar, having previously practised as a Special Pleader for Three years below the Bar, for the revision of the Lists of Voters in *England* and *Wales*, in manner hereinafter mentioned, who shall be called the Revising Barristers of *England* and *Wales*; and, of the Barristers so appointed, it shall be lawful for His Majesty to appoint one to be called the Chief Revising Barrister of *England* and *Wales*; and the Barristers so appointed, and all others to be appointed under this Act, shall hold their offices during their good behaviour; and every Vacancy which shall occur in the number of the said Revising Barristers, either by death, resignation or removal, shall from time to time be filled up by His Majesty, by the appointment to the office vacant, of a Barrister of such standing as aforesaid; and every such appointment shall be forthwith notified in the *London* Gazette.

5. Clause (E.) Not to practise as Barristers, nor to hold any other office under the Crown, nor to sit in Parliament.

And be it Enacted, That no Revising Barrister shall practise as a Barrister, or hold any other office or place of profit under the Crown; nor shall he be capable of being elected to serve in Parliament for any county, riding, parts or divisions thereof, or for any city or borough, the Register of Voters whereof shall have been revised by him within Eighteen Months next before such Election.

And

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6.
CLAUSE (X.) Salaries and Expenses.

And be it Enacted, That there shall be paid to the said Revising Barristers, as a remuneration for their services in such their offices, the Salaries following; (that is to say) to the Chief Revising Barrister the sum of Two thousand Pounds by the year; and to each of the other Revising Barristers of the Court of Appeal, the sum of One thousand five hundred Pounds by the year; and to each of the other Revising Barristers, the sum of One thousand Pounds by the year; and such Salaries, and also the necessary Expenses of the Court of Appeal and of the Circuits, hereinafter mentioned, shall be paid by the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury for the time being, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, by equal quarterly payments, on the Sixth day of January, the Sixth day of April, the Sixth day of July, and the Sixth day of October in every year, together with a proportionate part of a quarter of a year, which may immediately precede the time of the death, resignation or removal of the person entitled to such salary.

7.
CLAUSE (Y.) If from illness, &c. any Revising Barrister is incapable of Duty, His Majesty may appoint a Barrister to perform the duty.

And be it Enacted, That if at any time or times hereafter it shall be made to appear to His Majesty, that by reason of the sickness or other temporary inability of one or more of such Revising Barristers, the remaining number of such Barristers are insufficient for the adequate discharge of their duties, then and in such case and so often as the same shall happen, it shall be lawful for His Majesty, if he shall think fit, to appoint one or more Barrister or Barristers of proper standing, for the temporary discharge of the duties of the Revising Barrister or Barristers so disabled by sickness or other temporary cause as aforesaid; and in every such case it shall be lawful for His Majesty to make such order respecting the payment of the salary of any such supernumerary Barrister, either by the Barrister whose place he shall temporarily supply, or out of His Majesty's Treasury, as to His Majesty shall seem meet: Provided always, That in case of the sickness or other temporary disability of the Chief Revising Barrister, it shall be lawful for His Majesty to appoint any one of the other Revising Barristers temporarily to discharge the duties of the Chief Revising Barrister, and also to make such order respecting the payment of the salary of such temporary Chief Revising Barrister as to His Majesty shall seem meet: Provided also, That all acts done by any Barrister who may be appointed temporarily to discharge the duties of Revising Barrister or of Chief Revising Barrister, as the case may be, in the due discharge of such duties, shall have the same force and effect to all intents and purposes whatever as the same would have had if such acts had been done by a Revising Barrister or by the Chief Revising Barrister.

8.
CLAUSE (F.) Court of Appeal, of whom to consist.

And be it Enacted, That the Chief Revising Barrister, and Two to be appointed by His Majesty of the other Revising Barristers, shall form the Court of Appeal hereinafter mentioned, and that from and

Eight Revising Barristers to make circuits once a year, for the purpose of revising the Lists.

after the Second day of November now next ensuing, the Eight remaining Revising Barristers shall in every year make Circuits throughout *England* and *Wales*, and shall hold open Courts, consisting each of not more than One Revising Barrister, in which they shall once in every year, and not oftener, revise the Lists of Voters for every county, riding, parts or division of a county, city, borough and place, and the town of *Berwick-upon-Tweed*; and the said Circuits shall be made in a regular rotation by the said Eight Revising Barristers, and such rotation shall be settled by the Chief Revising Barrister; and the Court to be held for any county, riding, parts or division, or for any city or borough, or for the town of *Berwick-upon-Tweed*, shall be held at the same time as nearly as may be in every year.

Revision of Lists for the same place to be held at the same time in every year.

9. Clause (G.) The same Revising Barrister not to revise the Lists of the same County, &c. in successive years.

And be it Enacted, That no Revising Barrister shall revise the Lists for the same county, riding, parts or division of a county, city, borough or place, in Two successive years.

10. Clause (H.) Appeals on questions of Law only.

And be it Enacted, That the said Court of Appeal shall hear and decide all questions of law, which shall be brought by way of appeal from the decisions of the Revising Barristers upon their circuits; and such Appeals shall be by way of special case, which special case shall be signed by the Revising Barrister from whose decision the Appeal shall be brought, upon application made to him for that purpose, by or on behalf of the person whose name shall have been expunged from or not inserted in the List or Register of Voters by the decision of the Revising Barrister, or by or on behalf of the Overseer or person having objected to such name being inserted in or retained upon the List or Register of Voters, as the case may be; and the subjects of such Appeals shall be questions of law only, and not questions of fact; and such Court of Appeal shall sit somewhere in *London* or *Westminster*, and shall be an open Court.

11. Clause (I.) Notice of Appeal to be given within Fourteen Days.

And be it Enacted, That no Appeal from the decision of any Revising Barrister shall be entertained, unless Notice of Appeal shall be given to the Respondent within Fourteen Days after such decision and unless the case of the Appellant shall be lodged at such place and within such time as the Court of Appeal shall direct in that behalf.

12. Clause (O.) Decisions of Court of Appeal to be notified to Clerk of the Peace or Returning Officer, and the Register to be altered conformally.

And be it Enacted, That every order or decision of the Court of Appeal, reversing or in anywise altering the decision of the Revising Barrister, so as to have the effect of making any alteration in the Register, shall be forthwith notified by the Chief Revising Barrister to the Clerk of the Peace of the county, riding, parts or division of a county, or to the Returning Officer of the city or borough, to the List or Register of Voters of which such decision shall relate, and the Clerk of the Peace or Returning Officer shall forthwith alter such List or Register of Voters in such manner and form as the Chief Revising Barrister shall by writing subscribed by him direct.

And

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13.
CLAUSE (P.) Copies of Decisions of the Court of Appeal, signed by the Chief Revising Barrister, to be admissible in Evidence.

And be it Enacted, That a copy of any order or decision of the said Court of Appeal, such copy purporting to be signed by the Chief Revising Barrister, shall be sufficient evidence in all cases, without proof of the signature of the Chief Revising Barrister, and shall have the like force and effect as any entry made in any List or Register of Voters under this or the said recited Act.

14.
CLAUSE (Z.) Power of Court of Appeal to give Costs.

And be it Enacted, That it shall be lawful for the said Court of Appeal to make such order respecting the payment of the costs of any appeal, or of any part of such costs as to the said Court shall seem meet; and that in all cases in which any such order shall be made, the amount of such costs, to be ascertained by the said Court, shall be stated in a Certificate of such order, which Certificate shall be signed by the Chief Revising Barrister, and delivered to the party entitled to receive such costs; and a copy of such Certificate shall be served upon the party liable to pay such costs, or left at his usual place of abode; and if upon such service and a demand made, the party so liable shall refuse or neglect to pay the amount stated in such Certificate, then and in such case the same shall be recovered in manner hereinafter mentioned.

15.
CLAUSE (Q.) Appeal pending not to affect right of voting.

And be it Enacted, That no right of voting at any election of a Member or Members to serve in Parliament shall be extended or limited, or in any way whatsoever affected by any appeal pending in the said Court at the time of such election, but it shall be lawful for every person to exercise the right of voting at such election as effectually, and every vote tendered thereat shall be as good as if no such appeal were pending; and that the subsequent decision of any appeal which shall be pending in the said Court at the time of any such election shall not in any way whatsoever alter or affect the Poll taken at such election, nor the Return made thereat by the Returning Officer.

No decision of Court of Appeal after any Election to affect the result of such Election.

16.
CLAUSE (K.) Court may make Rules for the Administration of the business of the Court, and of the Circuits.

And be it Enacted, That it shall be lawful for the said Court to make Rules and Regulations not inconsistent with the provisions of this Act, for the administration of the business of the said Court and of the business of the said Circuits; and from time to time to vary, alter and repeal all or any of such Rules and Regulations, and to make others in their stead: Provided always, That all the Rules and Regulations so made, varied and altered, or by which any previously existing rules and regulations shall be repealed, be approved of by the Lord Chancellor for the time being, and be laid before The House of Commons, within Ten days after they shall be made, varied, altered or repealed, if the said House shall then be sitting, or if not, then within Ten days after the said House shall next reassemble: Provided also, That it shall not be lawful for the said Court, by any Rule or Regulation, to exclude the parties to any appeal from being heard by counsel before the said Court.

Counties.

17.
CLAUSE (L.) Notice to be given by the Chief Revising Barrister

And be it Enacted, That the Chief Revising Barrister shall, Four calendar Months at least before the first Court for the annual

to the Clerk of the Peace, to deliver his Warrant to the High Constable.

revision of the Register of Voters for any county, riding, parts or division, transmit through the Post to the Clerk of the Peace of such county, riding, parts or division a Notice, requiring him, within Seven Days from the date of such Notice, to deliver to the High Constable of every Hundred or other like district within such county, riding, parts or division, such Warrant as hereinafter mentioned.

18. Clerk of the Peace to have Forms of Warrants, &c. printed. Clerk of the Peace to issue his Warrant to High Constables with Forms of Precepts, &c.

And be it Enacted, That the Clerk of the Peace for every county, riding, parts or division of a county, shall cause a number of Forms of Warrants, Precepts, Notices and Lists to be printed, according to the Forms numbered (1. 2. 3. 4. 5.) in the Schedule (I.) to this Act annexed; and shall also, in every year, within Seven Days after the receipt of such Notice from the Chief Revising Barrister as aforesaid, make and cause to be delivered his Warrant, according to the Form numbered (1.) in the Schedule (I.) to this Act annexed, to the High Constable of every Hundred or other like district within such county, riding, parts or division; and shall also cause to be delivered to the said High Constable with every such Warrant, for the use of the said High Constable, and for the use of the Overseers of every parish and township within his Constablewick as hereinafter provided, a sufficient number of the said printed Forms of Precepts, Notices and Lists; and also a sufficient number of Copies of such parts of the Register of Voters for such county, riding, parts or division then in force as shall relate to every parish or township within his said Constablewick.

19. High Constables to issue Precepts with Forms of Notices, &c. to Overseers.

And be it Enacted, That every High Constable shall in every year, within Ten Days after the receipt of such Warrant of the said Clerk of the Peace, make and cause to be delivered to the Overseers of the Poor of every parish and township within his Constablewick, his Precept, according to the Form numbered (2.) in the Schedule (I.) to this Act annexed, together with a sufficient number of the said printed Forms of Notices and Lists, and of the copies of such part of the said Register as shall relate to their parish or township.

20. Overseers to give Notice annually, requiring Voters to send in their Claims.

And be it Enacted, That the Overseers of the Poor of every parish and township shall, in every year, within Seven Days after the receipt of the Precept from the High Constable, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same, a Notice signed by him, bearing date the same day on which it shall be so fixed up, and according to the Form numbered (3.) in the Schedule (I.) to this Act annexed, requiring all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in Parliament, in respect of any property situate wholly or in part within such parish or township, who shall not be upon the Register of Voters then in force; and also requiring all Persons so entitled as aforesaid, who being upon such Register, shall not retain the same qualification or continue in the same place of abode as described

in

in such Register, to deliver or transmit to the said Overseers, on or before the expiration of One calendar Month from the date of such Notice, a Notice by them signed of their Claim as such Voters, according to the Form numbered (4.) in the Schedule (I.) to this Act annexed, or to the like effect: Provided always, That it shall be lawful for any other Person so entitled to make his Claim as aforesaid, if he shall so think fit, although he shall be upon such Register.

21. Overseers to prepare Lists of Claimants.

And be it Enacted, That the Overseers of the Poor of every parish and township shall, in every year, Ten Days next after the end of such One calendar Month as aforesaid, make out or cause to be made out, according to the Form numbered (5.) in the Schedule (I.) to this Act annexed, an Alphabetical List of all Persons who on or before the expiration of such One calendar Month shall have claimed as aforesaid to be inserted in the List of Voters for the county, or for the riding, parts or division of the county wherein such parish or township lies, in respect of any property situate wholly or in part within that parish or township; and in every List so to be made as aforesaid, the Christian Name and Surname of every Claimant shall be written at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the property, or the Name of the occupying Tenant thereof, as the same are respectively stated in his said notice of claim; and the said Overseers, if they shall have reasonable cause to believe that any Person so claiming as aforesaid, or any Person who is upon that part of the Register of Voters then in force which relates to their parish or township, is not entitled to have his name upon the Register then next to be made for the county or for the riding, parts or division of the county in which their parish or township is situate, shall add the word "Objected" against the name of every such Person on the margin of such List, or on the margin of such part as aforesaid of the said Register then in force; and the said Overseers shall also add the word "Dead" against the name of any Person in such part as aforesaid of the said Register, whom they shall have reasonable cause to believe to be dead; and the said List of Claimants being so made as aforesaid, the said Overseers shall sign the same, and shall cause a sufficient number of copies of such List to be written or printed; and shall cause to be fixed one copy of such List, and also one copy of such part as aforesaid of the said Register, on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no church or chapel there, then to be fixed up in some public and conspicuous situation within the same, on the Two Sundays next after the expiration of the said Ten Days; and the said Overseers shall likewise keep a copy of such List, and a copy of such part as aforesaid of the said Register, and also the original notices of claim, to be perused by any person without payment of any fee, at all reasonable hours, during the Fourteen Days next after the expiration of the said Ten Days, and shall cause to be written or printed copies of the said

Overseers to have power of objecting to any Name either on such Lists or on the part of the Register of Voters for the time being relating to their Parish.

To have power to add the word "Dead" against any Name in such Lists or part of Register.

Overseers to fix Copies of such Lists and of the part of the Register of Voters relating to their own Parish on Churches and Chapels;

To keep Copies of Lists for Inspection and Sale.

List of Claimants, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each copy, such price not to exceed the rate of Three-halfpence for every ninety words.

22. The List of Claimants in any Parish, and the part of the Register relating to that Parish, to be deemed the List of Voters of such Parish.

And be it Enacted, That the List of Claimants (if any) so made out by the Overseers of any parish or township as aforesaid, and such part as aforesaid of the Register of Voters then in force for the county, riding, parts or division of a county, within which such parish or township lies, shall be deemed to be the List of Voters of such parish or township for such county, riding, parts or division of a county; and every Person whose name is upon the said List of Claimants, or such part as aforesaid of the said Register, shall be deemed to have had his name inserted in the List of Voters of such parish or township by the Overseers thereof.

23. Any Person on the Register for the time being may object to any other Person named in the List of Voters as not entitled to be upon the List.

Notice of Objection to be given to the Overseers.

Notice of Objection in all cases to be given to the Party.

Grounds of Objection to be stated in the Notice.

Notice in certain cases may be sent by the Post.

And be it Enacted, That every Person who shall be upon the Register of Voters for the time being in force for any county, or for any riding, parts or division of a county, may object to any Person whose name shall appear either upon any such List of Voters as aforesaid, for such county, riding, part or division of a county, as not having been entitled, at the expiration of the said Ten Days, to have his name inserted in such List of Voters; and every Person so objecting, shall, within Twenty-eight Days next after the expiration of the said Ten Days, give or cause to be given to the Overseers of the Poor of the parish or township to which such List may relate, a Notice, according to the Form numbered (6.) in the Schedule (I.) to this Act annexed or to the like effect; and the Person so objecting, and the said Overseers, or one of them, in case of their objecting as hereinbefore mentioned, shall, within the same Twenty-eight Days, give to the Person so objected to, a Notice, according to the Forms numbered (7.) and (8.) respectively in the Schedule (I.) to this Act annexed, or to the like effect, either by delivering the same, or causing the same to be delivered to him, or by leaving the same, or by causing the same to be left or delivered at his place of abode as described in such List, or by delivering the same, or by causing the same to be delivered to the occupying Tenant of the qualifying premises described in such List: Provided always, That every such Notice of objection shall be signed by the party so objecting as aforesaid, and in case of objection by Overseers, such Notice of objection shall be signed by the said Overseers, or one of them, and in both cases the ground or grounds of objection shall be stated therein; and that wherever the place of abode of the Person objected to as described in such List, or of the person objecting, as described in such Register of Voters as aforesaid, shall not be in the parish or township to which such List may relate, it shall be sufficient, if the Notice so required to be given as aforesaid shall, within the same Twenty-eight Days, be sent by the Post, free of postage, or the sum chargeable as postage for the same being first paid, directed to the person objected to at his place of abode, as described in such List.

And

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Counties.

24. Lists of Persons objected to, to be published.

And be it Enacted, That the said Overseers shall include the names of all Persons so objected to, save those objected to by the said Overseers in manner hereinbefore mentioned, in a List according to the Form numbered (9.) in the said Schedule (I.) to this Act annexed, and shall cause copies of such List to be fixed on or near the outer doors of all Churches and Chapels within their parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same, on the Two Sundays next after the expiration of the said Twenty-eight Days; and the said Overseers shall also keep a copy of such List, and copies of the several Notices of objection, to be perused by any Person without payment of any fee, at all reasonable hours during the Fourteen Days next after the expiration of the said Twenty-eight Days; and shall deliver a copy of such List to any Person requiring the same on payment of a reasonable price for each copy, such price not to exceed the rate of Three-halfpence for every ninety words.

25. Provision as to Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, having no Overseer of the Poor, shall, for the purpose of making such Claims and Objections, and making out such List as aforesaid, and for all purposes connected with the formation, under the provisions of this Act, of a Register of Voters for the county, riding, parts or division of a county, in which such precinct or place lies, be deemed to be within the parish or township adjoining thereto, situate within the same county, or the same riding, parts or division of a county, as such precinct or place; and if such precinct or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being.

26. Lists, &c. to be delivered to High Constables to be forwarded to the Clerk of the Peace;

and the same, with an abstract of the grounds of Objection, to be transmitted to the Chief Revising Barrister.

And be it Enacted, That within Four Days next after the expiration of the said Twenty-eight Days, the Overseers of every parish or township shall deliver to the High Constable of the hundred or other like district wherein the said parish or township is situate, a copy of the List of Claimants so made out as aforesaid; and a copy of such part as aforesaid of the said Register, and also a copy of the List of Persons objected to so made out as aforesaid, and the original notices of objection and the original notices of claim so given to them as aforesaid, and copies of the Notices of objection so given by the said Overseers as aforesaid; and such High Constable shall forthwith deliver all such copies of Lists and of parts of the said Register, and all such original Notices of objection and original Notices of claim, and all such Copies of Notices of objection, to the Clerk of the Peace of the county or of the riding, parts or division of county within which his Constablewick lies, and such Clerk of the Peace shall thereupon make out a List of the Persons objected to by the Overseers and by other Persons in each parish and township, and an Abstract of the grounds of objection stated in the said Notices of objection, and shall immediately afterwards

wards transmit the said copies of Lists, and of parts of the said Register, and also the abstract, so made out by him, to the Chief Revising Barrister, in order that proper arrangements may be made as to the times and places for revising such Lists.

27. Chief Revising Barrister to give Ten Days' notice of the times and places of holding Courts for the Revision of County Register to Clerk of the Peace. Clerk of the Peace to give notice thereof by Advertisement, and to the High Constables. High Constables to give public notice and notice to the Overseers.

And be it Enacted, That the Chief Revising Barrister shall, in every year, Ten Days at the least before the holding of the first Court of annual revision of the Register of Voters for any county, riding, parts or division of any county, give Notice to the Clerk of the Peace of the several times and places at which the several Courts for revising the Lists of Voters for such county, riding, parts or division of a county will be holden; and the said Clerk of the Peace shall forthwith cause public notice of such several times and places to be given by advertisement in some of the Newspapers circulating within the said county, riding, parts or division, and shall also cause notice thereof to be given to the High Constable of every hundred or other like district within the same respectively; and the said High Constable shall forthwith cause a Notice of such several times and places to be fixed up in some public and conspicuous situation at every place within his said Constablewick appointed for the holding of any such Court, and shall forthwith give Notice to the Overseers of every parish and township within his Constablewick of the time and place of holding the Court for revising the List of such parish and township, requiring them to attend the same.

28. Clerk of the Peace to attend the first Court, and High Constables and Overseers to attend the Courts for their respective Districts and Parishes.

And be it Enacted, That the Clerk of the Peace at the opening of the first Court of Revision to be so holden as aforesaid for any county, riding, parts or division of a county, shall deliver or cause to be delivered to the Revising Barrister then present the several copies of Lists and parts of the said Register, and the original Notices of objection, and original Notices of claims, and copies of Notices of objection, which shall have been delivered to such Clerk of the Peace by the High Constables as aforesaid; and the High Constable of every hundred or other like district shall attend the Court or Courts to be held for revising the List of Voters relating to any parish or township within his Constablewick, and the Overseers of every parish and township shall attend the Court to be held for revising the List relating to their parish or township, and shall deliver to the Revising Barrister the List of Claimants, and the List of Persons objected to, so made out by them respectively as aforesaid; and the said Clerk of the Peace, High Constables and Overseers shall answer upon oath all such questions as the Revising Barrister may put to them or any one of them touching any matter necessary for such revision as aforesaid.

29. Powers to expunge Names from Lists.

And be it Enacted, That the Revising Barrister shall expunge from the List of Voters of any parish or township revised by him, the Name of every Person objected to in manner hereinbefore mentioned, who shall not be proved to have been entitled, at the expiration of the Ten Days hereinbefore in that behalf mentioned, to have his Name retained

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retained or inserted in such List in respect of his qualification stated in such List; or in case it shall be proved that such Person was then legally incapacitated from voting in the election of Members to serve in Parliament, and that such incapacity has not since been removed, and shall also expunge from such List the Name of every Person whose qualification as stated therein shall appear upon the face thereof to be necessarily insufficient to entitle him to be retained or inserted in such List, and also the Name of every Person who shall be proved to him to be dead; and shall correct any mistake which shall be proved to him to have been made in the said List as to any of the particulars required by this Act to be inserted therein; and wherever the Christian Name of any Person, or his place of abode, or the nature of his qualification, or the local or other description of his property, or the Name of the occupying Tenant thereof, as the same are respectively required by this Act to be inserted in such List, shall be wholly omitted therefrom, the Revising Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted shall be supplied to his satisfaction before he shall have completed the revision thereof, in which case he shall then and there insert the matter or matters so supplied accordingly: Provided always, That no Person's Name shall be expunged as aforesaid except in case of the statement of such insufficient qualification as aforesaid, or of his death, or of any such omission as hereinbefore mentioned, unless the Overseers or other Party who shall have objected to such Person shall appear before the Revising Barrister, by themselves or himself, or by some one on their or his behalf, in support of such objection, nor unless the said Revising Barrister shall be satisfied that the Notice of objection hereby required has been duly given: Provided also, That it shall not be lawful for the Revising Barrister to inquire into any objection, the ground whereof shall not have been stated in the said Notice of objection: Provided also, That the fact of the name of the Person objected to being upon the Register of Voters in force at the time of such revision, shall always be *primâ facie* evidence of such Person being entitled to have his name retained or inserted in such List of Voters as aforesaid, save in the case of such statement of necessarily insufficient qualification, or of such total omission, as hereinbefore mentioned.

Power to rectify mistakes and supply omissions.

Party objecting, or some one on his behalf, must appear to support Objection.

Fact of the Name being on the Register, *primâ facie* evidence of Title.

30.

And be it Enacted, That if it shall happen that the name of any Person who shall have given to the Overseers of any parish or township due notice of his claim to have his Name inserted in the List of Voters of that parish or township, shall have been omitted from such List, it shall be lawful for the Revising Barrister, upon the revision of such List, to insert therein the Name so omitted, in case it shall be proved to his satisfaction that such Person gave due notice of his claim to the said Overseers, and that he was entitled, at the expiration of the said Ten Days, to be inserted in such List, in respect of the qualification described in such Notice of claim.

Power to insert in Lists the Names of Claimants omitted by the Overseers on proof of due claim and qualification.

Counties.

31. Voters residing out of the Polling District to which the Parish wherein their qualification is situate belongs, may vote in another Polling District on being duly registered for that purpose.

AND whereas it is enacted by the said recited Act, that at every contested Election for any county, riding, parts or division of a county, Booths for taking the Poll at the principal place of Election, and also at each of the Polling Places for such county, riding, parts or division, should be erected as therein mentioned, and that no Person should be admitted to vote at any such Election in respect of any property situate in any parish, township or place, except at the Booth allotted for such parish, township or place; and if no Booth should be allotted for the same, then at any of the Booths for the same district: And whereas it is expedient that certain Voters should be admitted to vote elsewhere than at the Polling Place of the district wherein their qualification may be situate; BE it therefore Enacted, That wherever the place of abode of any Voter for any county, riding, parts or division of a county, shall not be within the Polling District of the parish or township wherein his qualification lies, every such Voter whose place of abode shall be within such county, riding, parts or division of a county, shall, if duly registered in that behalf, be admitted to vote at the Polling Place of the district wherein his place of abode may be situate; and every such Voter whose place of abode shall not be within such county, riding, parts or division of a county shall, if duly registered in that behalf, be admitted to vote at the Polling Place of any other district, to be by him selected; any thing in the said recited Act to the contrary notwithstanding: Provided always, That in order to be registered for the purpose of being admitted to vote at some other Polling Place than the Polling Place of the district wherein his qualification may be situate, the Voter shall make his claim to be admitted to vote at such other Polling Place before the Revising Barrister, who shall revise the List of Voters, containing the Name of such Voter; and thereupon the Revising Barrister shall insert in the said List the Name of such other Polling Place against the Name of such Claimant: Provided also, That if such Voter shall not personally appear before the Revising Barrister, such claim shall be made in writing signed by the said Voter, and verified on oath, or by affirmation, in case of a Moravian or Quaker: Provided also, That no Voter against whose Name in the Register for the time being the Name of any Polling Place shall be so inserted, shall be admitted to vote at any Polling Place in the same county, riding, parts or division of a county other than the Polling Place so inserted.

Cities and Boroughs.

32. Clause (M.) Chief Revising Barrister to give annual notice to the Returning Officers of Cities and Boroughs to issue their Precepts.

And be it Enacted, That the Chief Revising Barrister shall in every year, Four calendar Months at least before the first Court of annual revision of the Lists of Voters for any city or borough, transmit through the Post, to the Returning Officer of such city or borough, a Notice, requiring such Returning Officer, within Seven Days after receiving such Notice, to deliver to the Overseers of the Poor of every parish or township in such city or borough, or to the Town Clerk of such city or borough, such Precept as hereinafter mentioned.

And

33. Returning Officer to have Forms of Precepts, &c. printed.

To issue his Precept to the Overseers and to the Town Clerk.

And be it Enacted, That the Returning Officer of every such city or borough shall cause a sufficient number of Forms of Precepts, Notices and Lists to be printed, according to the Forms numbered (1. 2. 3. 4. 6. 7.) in the Schedule (II.) to this Act annexed, at the expense of such city or borough, and shall in every year within Seven Days after the receipt of such Notice from the President of the said Court as aforesaid, make and cause to be delivered to the Overseers of the Poor of every parish or township situate wholly or in part within such city or borough, or within any place sharing in the Election for such city or borough, his Precept according to the Form numbered (1.) in the said Schedule; and shall also within the said Seven Days make and cause to be delivered to the Town Clerk of such city or borough, and to the Town Clerk of every place sharing in the Election for such city or borough, his Precept according to the Form numbered (7.) in the said Schedule; and the said Returning Officer shall also cause to be delivered to the said Overseers and Town Clerks with every such Precept a sufficient number of the said printed Forms of Notices and Lists.

34. Overseers to give public Notice to Occupiers of Premises of the yearly value of 10*l.* to pay their Rates and Taxes.

And be it Enacted, That the Overseers of every such parish or township shall, in every year, within Seven Days after the receipt of the Precept from the Returning Officer, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same, a Notice, signed by him, bearing date the same day on which it shall be so fixed up, and according to the Form numbered (2.) in the said Schedule (II.), stating that no Person will be entitled to have his Name inserted in any List of Voters for the city or borough then next to be made, in respect of the occupation of premises of the clear yearly value of not less than Ten Pounds, situate wholly or in part within such parish or township, unless he shall pay, at or before the expiration of One calendar Month from the date of such Notice all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such premises during the year ending Three calendar Months next before the expiration of the said One calendar Month; and that all Persons omitting to make such payment will be incapable of being upon the Register of Voters for the said city or borough then next to be made.

35. Overseers to have power of inspecting Tax Assessments, &c.

And be it Enacted, That the Overseers of every parish or township, for their assistance in making out the List of Voters as hereinafter mentioned, (upon request made by them or any of them at any reasonable time within Seven Weeks from the time of the receipt by such Overseers of the Precept from the Returning Officer, to any Assessor or Collector of Taxes, or to any other Officer having the custody of any duplicate or Tax Assessment for such parish or township), shall have free liberty to inspect any such duplicate or Tax Assessment, and to extract therefrom

such particulars as may appear to such Overseer or Overseers to be necessary; and every such Assessor or Collector of Taxes shall, within Two Days after the expiration of the One calendar Month aforesaid, or on having Four Days' notice from such Overseers or any of them, make out and deliver to the said Overseers a List containing the Name and place of abode of every Person who shall not have paid on or before the expiration of such One calendar Month, the Assessed Taxes which shall have become payable from him in respect of any premises within the said parish or township during the year ending at such time as is hereinbefore in that behalf mentioned; and the said Overseers shall keep the said List to be perused by any Person without payment of any fee at all reasonable hours during the first Fourteen Days after the List of Voters shall have been made as hereinafter mentioned.

36. Overseers to prepare Lists of Persons (other than Freemen) entitled to vote.

And be it further Enacted, That the Overseers of every such parish or township shall, Ten Days after the expiration of such period of One calendar Month as last aforesaid, make out or cause to be made out according to the Form numbered (3.) in the Schedule (II.) to this Act annexed, an Alphabetical List of all Persons who may be entitled to vote in the election of a Member or Members to serve in Parliament for such city or borough, in respect of the occupation of premises of the clear yearly value of not less than Ten Pounds situate wholly or in part within such parish or township, and another Alphabetical List, according to the Form numbered (4.) in the said Schedule (II,) of all other Persons (except Freemen) who may be entitled to vote in the Election for such city or borough by virtue of any other right whatsoever; and in each of the said Lists the Christian Name and Surname of every such Person shall be written at full length, together with the nature of his qualification; and where any Person shall be entitled to vote in respect of any property, then the Name of the Street, Lane or other description of the place where such property may be situate, shall be specified in the List; and where any Person shall be entitled to vote otherwise than in respect of any property, then the Name of the Street, Lane or other description of the Place of Abode of such Person shall be specified in the List; and the said Overseers shall also forthwith, after the making of such Lists, sign the same, and cause a sufficient number of copies of such Lists to be fixed on or near the outer doors of all the Churches and Chapels in their several parishes and townships, or if there be no church or chapel therein, then to be fixed up in some public and conspicuous situation within the same respectively, on the Two Sundays next after the expiration of the said Ten Days; and the said Overseers shall likewise keep Copies of such Lists to be perused by any Person without payment of any Fee, at all reasonable hours during the first Fourteen Days after the expiration of the said Ten Days, and shall, at a reasonable price, deliver to all Persons applying for the same Copies of such Lists, such price not to exceed the rate of Three Halfpence for every Ninety Words.

Copies of Lists to be fixed on Churches and Chapels.

Copies of Lists to be kept for inspection and for sale.

And

37. CLAUSE (R.) Overseer to give Notice to Person whose Name may be omitted in Register.

And be it Enacted, That in every case in which a Name, which is upon the Register of Voters in force for the time being for such city or borough, shall be omitted by the said Overseers from the Lists to be made by them as aforesaid, the said Overseers or one of them shall within Seven Days after the same shall be so fixed up as aforesaid, give or cause to be given to the Person whose Name shall be so omitted, or leave or cause to be left at his usual place or last usual place of abode, a Notice signed by them or one of them, according to the Form numbered (13.) in the said Schedule (II.) stating shortly the reason or reasons of such omission.

38. Persons omitted from the Overseers Lists to give notice of their Claims.

And be it Enacted, That every Person whose Name shall have been omitted in any such List of Voters for any city or borough so to be made out by the Overseers as aforesaid, and who shall claim to have his Name inserted therein as having been entitled at the expiration of the said Ten Days, shall, within Twenty-eight Days next after the expiration of the said Ten Days, give or cause to be given a notice signed by him, according to the Form numbered (5.) in the said Schedule (II.) or to the like effect, to the Overseers of that parish or township in the List whereof he shall claim to have his Name inserted; and the Overseers shall include the Names of all Persons so claiming as aforesaid in a List according to the Form numbered (6.) in the said Schedule (II.).

List of Claimants to be made.

39. Town Clerk to give annual notice requiring Freemen entitled to vote to send in their claims in certain cases.

And be it Enacted, That the Town Clerk of every city or borough shall, in every year within Seven Days next after the receipt of the Precept from the Returning Officer, cause to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, then to be fixed in some public and conspicuous situation within such city or borough, a Notice, signed by him, bearing date the same day on which it shall be so fixed up, and according to the Form numbered (8.) in the Schedule (II.), requiring all Persons entitled to vote as Freemen in the election of a Member or Members to serve in Parliament for such city or borough who shall not be upon the Register of Voters for the said city or borough then in force, and all Persons so entitled as Freemen, who, being upon such Register, shall not continue in the same place of abode as described in such Register, to deliver or transmit to the said Town Clerk, within One calendar Month next after the date of such Notice, a Notice by them signed of their Claim as such Freemen, according to the Form numbered (9.) in the said Schedule (II.); and the Town Clerk of every place sharing in the election of any city or borough shall, within the same Seven Days, in like manner give a like notice.

40. Town Clerks to prepare Lists of Freemen.

And be it Enacted, That the Town Clerk of every such city or borough shall, Ten Days after the expiration of such period of One calendar Month as last aforesaid, make out, or cause to be made out,

according to the Form numbered (10.) in the said Schedule (II.), an Alphabetical List containing the Names of all Persons who shall be upon the Register for the time being for such city or borough as Freemen, and also the Names of all Persons who shall claim as aforesaid to be inserted in the List as such Freemen; and in every List so made by the said Town Clerk, the Christian Name and Surname of every Person shall be written at full length, together with the place of his abode, as set forth in such Register or notice of Claim, and the Town Clerk of every place sharing in the election for any city or borough shall, at the same time as last aforesaid, make out or cause to be made out, in the same manner, a like List of all Persons upon the said Register, and claiming as aforesaid as Freemen of such place; and every such Town Clerk, if he shall have reasonable cause to believe that any Person who is upon the Register for the time being, or any Person so claiming as aforesaid, is not entitled to have his name upon the Register then next to be made for such city or borough as a Freeman, shall add the word "Objected" against the name of every such Person on the margin of the List; and shall, in the margin of such List, add the word "Dead" against the name of every Person, whom such Town Clerk shall have reasonable cause to believe to be dead; and every such Town Clerk shall sign such List, and shall cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within such city, borough or place as aforesaid, on the Two Sundays next after the expiration of the said Ten Days; and shall likewise keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the first Fourteen Days after the expiration of the said Ten Days, and shall at a reasonable price deliver to all persons applying for the same copies of such List, such price not to exceed the rate of Three Halfpence for every Ninety Words: Provided always, That where there shall be no Town Clerk for such city, borough or place as aforesaid, or where the Town Clerk shall be dead or incapable of acting, all or any of the matters by this Act required to be done by and with regard to the Town Clerk, shall be done by and with regard to the Person executing duties similar to those of the Town Clerk, and if there be no such Person, then by and with regard to the Chief Civil Officer of such city, borough or place.

Town Clerks to have power of objecting to any Name in the List, and to add the word "Dead" against any Name.

Lists to be fixed on the Town Hall.

Copies of Lists to be kept for inspection and sale.

41. Persons named in the List may object to other Persons as not being entitled to be in the List.

And be it Enacted, That every Person whose name shall be in any List of Voters, or the Register in force for the time being, for any city or borough, may object to any other Person whose name shall be on any List of Voters for such city or borough, so made out by the Overseers or Town Clerk as aforesaid, as not having been entitled, at the expiration of the said Ten Days, to have his name inserted therein; and every Person so objecting shall, within Twenty-eight Days next after the

the expiration of the said Ten Days, give or cause to be given to the Overseers or Town Clerk who shall have made out the List containing the Name of the Person so objected to, a Notice, according to the Form numbered (11.) in the said Schedule (II.), or to the like effect; and the Person so objecting, and the Town Clerk, in case of his objecting in manner aforesaid, shall also, within the said Twenty-eight Days, give or cause to be given to the Person objected to, or leave or cause to be left at his usual place of abode a Notice, according to the Form numbered (12.) in the said Schedule (II.), or to the like effect: provided that every such Notice of Objection shall be signed by the Person so objecting as aforesaid; or in cases of objection by the Town Clerk, then by the Town Clerk; and in either case the ground or grounds of objection shall be stated therein.

Notices of Objection to be given to the Overseers, or in case of Persons on the List of Freemen to the Town Clerk.

Grounds of Objection to be stated in Notice.

42.

And be it Enacted, That the said Overseers shall include the names of all Persons so objected to in a List according to the Form numbered (14.) in the said Schedule (II.), and shall cause copies of the said List of Persons objected to, and of the said List of Persons claiming as before mentioned, to be fixed on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no Church or Chapel therein, then to be fixed up in some public and conspicuous situation within the same, on the Two Sundays next after the expiration of the said Twenty-eight Days; and the said Town Clerk shall include the Names of all Persons so objected to as Freemen in a List according to the Form numbered (15.) in the said Schedule (II.), and shall cause a copy of such List to be fixed on or near the door of the Town Hall, or if there be no Town Hall, then to be fixed up in some public and conspicuous situation within such city, borough or place as aforesaid, on the same Two Sundays; and the Overseers and Town Clerk shall keep Copies of such Lists respectively, and of such Notices of Omission or Objection as shall be given by them respectively to Persons omitted or objected to by them in manner aforesaid; and shall allow the same, and also the original Notices of Objection and original Notices of Claim so to be given to them as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the Fourteen Days next after the said Twenty-eight Days, and shall deliver a copy of each of such Lists to any Person requiring the same, on payment of a reasonable price for each copy, such price not to exceed the rate of Three Halfpence for every Ninety Words.

Lists of Persons objected to, to be made.

Such Lists, and the List of Claimants, to be fixed on Churches and Chapels.

Lists of Persons objected to as Freemen to be made and fixed on Town Hall.

Copies of Lists and Notices of Omission or Objection to be kept for inspection.

43.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, having no Overseer of the Poor, and being within any city or borough, or within any place sharing in the election for any city or borough, shall, for the purpose of making out the Lists of Voters for such city or borough, and for making such claims and

Provision for Places having no Overseers.

objections as aforesaid, and for all purposes connected with the formation of a Register of Voters for such city or borough, under the provisions of this Act, be deemed to be within the parish or township adjoining thereto, situate wholly or in part within such city or borough, or within such place sharing in the election therewith; and if such precinct or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being.

44. Clause (AA.) Freeholders in Horsham and Malmesbury, entitling to vote.

New Shoreham and Cricklade, where to be registered.

And be it Enacted, That for all the purposes of forming a Register of Voters for the Borough of *New Shoreham*, and for the Borough of *Cricklade* respectively, under the provisions of this Act, all persons having a right to vote for the Borough of *New Shoreham* in respect of any freeholds which may be situate in the Borough of *Horsham*, or for the Borough of *Cricklade* in respect of any freeholds which may be situate in the Borough of *Malmesbury*, shall be inserted in the same Lists of Voters respectively, in which they are to be inserted by the directions in that behalf of the said recited Act.

45. Overseers and Town Clerks to deliver Copies of Lists to the Returning Officer.

And be it further Enacted, That the said Overseers shall, within Four Days next after the expiration of the said Twenty-eight Days, deliver to the Returning Officer of such city or borough a copy of the List of Voters so made out by them as aforesaid, and a copy of the List of Persons who shall have claimed as aforesaid, and a copy of the List of Persons objected to as aforesaid, and Copies of the Notices of Objection and Notices of Claim so given to them, and copies of the Notices of Omission so given by them as aforesaid; and the said Town Clerk shall, within the same Four Days, deliver to the said Returning Officer a copy of the List of Persons entitled to vote as Freemen, and of Persons claiming to be inserted in the List of Freemen, so made out by him as aforesaid, and a copy of the List of Persons so objected to as Freemen as aforesaid, and Copies of the Notices of Objection and Notices of Claim given to him, and copies of the Notices of Objection given by him as aforesaid; and the said Returning Officer shall immediately afterwards make an abstract of the ground or grounds of Objection or reasons of Omission stated in each of the said Notices of Objection or Omission, and shall forthwith transmit to the Chief Revising Barrister the abstract so made, and copies of all such Lists as he shall so receive.

46. Freemen and Liverymen of the City of London.

And be it Enacted, That for providing a List of such of the Freemen of the City of *London* as are Liverymen of the several Companies entitled to vote in the election of a Member or Members to serve in Parliament for the City of *London*, the Returning Officer or Officers of the said City shall, in every year, on the expiration of Seven Days

Days after receiving such Notice from the Chief Revising Barrister as hereinbefore mentioned, issue Precepts to the Clerk of each of the said Livery Companies, requiring him within Seven Days thereafter, to make out or cause to be made out, at the expense of the Company, an Alphabetical List according to the Form in the Schedule (III.) to this Act annexed, of the Freemen of *London*, being Liverymen of the said Company, and entitled to vote in such Election; and such Clerk shall sign such List, and transmit the same, with Two printed Copies thereof, to such Returning Officer or Officers, and shall cause a sufficient number of copies of such List to be printed at the expense of the Company, and shall keep the same to be perused by any Person, without payment of any fee, at all reasonable hours during the first Fourteen Days after such List shall have been printed; and shall deliver to any Person applying for the same a copy of the said List, at a price not exceeding Three Halfpence for every Ninety Words; and the Returning Officer or Officers, on receiving such List and printed copies as aforesaid, shall forthwith fix One such Copy on the Guildhall and One in the Royal Exchange in the said City, there to remain Fourteen Days; and every Person whose Name shall have been omitted in any such List of Freemen and Liverymen, and who shall claim to have his Name inserted therein as having been entitled on the day on which such Precept is hereby required to be issued by the Returning Officer of the said City as aforesaid, shall, within Twenty-eight Days next after such day, give or cause to be given to the said Returning Officer or Officers, or one of them, and to the Clerk of the Company, a Notice signed by him, and according to the Form numbered (1.) in the said Schedule (III.), or to the like effect; and the Returning Officer or Officers shall include the Names of all Persons so claiming as aforesaid in a List, according to the Form numbered (2.) in the said Schedule (III.), and shall cause such last-mentioned List to be fixed in the Guildhall and Royal Exchange of the said City on the Two Mondays next after the said Twenty-eight Days; and the said Returning Officer or Officers and Clerks of the said Companies shall likewise keep a copy of the Names of all the Persons so claiming as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the Fourteen Days next after the expiration of the said Twenty-eight Days; and shall deliver to any Person applying for the same a copy of the said List, at a price not exceeding Three Halfpence for every Ninety Words; and every Person whose Name shall be on any List of Voters or the Register of Voters in force for the time being for the said City, may object to any other Person whose Name shall be in any List so made out by the Clerk of any Company as not having been entitled on the day on which such Precept is so required to be issued by the Returning Officer of the said City as aforesaid, to have his Name inserted in such List, and every Person so objecting shall, within the same Twenty-eight Days as last aforesaid, give or cause to be given to such other Person, or

leave or cause to be left at his usual place of abode a Notice, signed by him, stating shortly the ground or grounds of such objection, according to the Form numbered (3.) in the said Schedule (III.), or to the like effect; and shall deliver or cause to be delivered a similar Notice to the said Returning Officer, according to the Form numbered (4.) in the said Schedule (III.), or to the like effect; and in every case in which the Name of any Person upon the Register of Voters in force for the time being for the said City as a Freeman and Liveryman, shall be omitted by the Clerk of the Company to which such Person belongs from the List so made out by him as aforesaid, such Clerk shall, within Seven Days after transmitting such List to the Returning Officer as aforesaid, give or cause to be given to such Person, or leave or cause to be left at his usual place of abode a Notice, signed by him, stating shortly the reason or reasons of such omission, according to the Form numbered (5.) in the said Schedule (III.), or to the like effect; and shall, along with the List and Two printed copies thereof to be transmitted by him to the Returning Officer as hereinbefore mentioned, transmit a similar Notice to the Returning Officer, according to the Form numbered (6.) in the said Schedule (III.); and the said Returning Officer shall include the names of all Persons so objected to and omitted as aforesaid in a List, stating shortly the grounds of such objection, or reasons of such omission, as the same shall be respectively stated in such Notices as hereinbefore directed to be given, according to the Forms numbered (7.) and (8.) in the said Schedule (III.), and shall, within Four Days after the expiration of the said Twenty-eight Days, publish and sell the said List at a price not exceeding Three Halfpence for every Ninety Words.

47. Notice of the time of revising the Lists of Voters for Cities and Boroughs, to be given by the Chief Revising Barrister to the Returning Officer, who is to publish the same.

And be it Enacted, That a Court or Courts for the revision of the Lists of Voters for every City and Borough shall be held in every year, not only within such city or borough, but also within every place sharing in the election of Members to serve in Parliament for such city or borough, and the Chief Revising Barrister shall, Fifteen Days at least before such Court or the first of such Courts, give notice to the Returning Officer of such city or borough of the day on which such Court will be held; and the Returning Officer shall, not less than Ten Days before the day so appointed, cause a Notice thereof to be fixed up on the outer doors of all Churches and Chapels within such city, borough or place, and on the outer door of the Town Hall of such city, borough or place respectively, or if there be no Church or Chapel or Town Hall therein, then to be fixed up in some public and conspicuous place within the same respectively.

48. Returning Officer, Town Clerks and Overseers of the present and past year to attend the Courts.

And be it further Enacted, That the said Returning Officer, and the Town Clerk of such city or borough or place sharing in the election therewith, and the several Overseers for the time being of every parish or township within such city, borough or place as aforesaid, and also such

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of the Overseers thereof for the year then last past as may have prepared or been concerned in preparing the Lists of Voters to be revised at such Court or Courts, or any of such Lists, and also such of the Overseers thereof for the year then last past, whether they may have been concerned in such preparation or not, as shall at the time of the holding of such Court be resident within such city or borough, and in the City of *London* the Clerks of the several Livery Companies and the Ward Beadles of such city, shall attend every Court to be holden before the Revising Barrister for the revision of the Lists of Voters for such city, borough or place as aforesaid, the said Overseers attending only the Courts held for the revision of the Lists of their particular parish or township; and the said Returning Officer, Town Clerk, Overseers, Clerks of the Livery Companies and Ward Beadles, shall answer, upon Oath, all such questions as the Revising Barrister may put to them, or any of them, touching any matter necessary for revising the Lists of Voters; and the Returning Officer shall, at the opening of the said Court, deliver to the Revising Barrister the original Notices of Objection and original Notices of Claim, and copies of Notices of Omission and Objection so delivered to them as hereinbefore directed; and the said Overseers and Town Clerk respectively, and in case of the City of *London* the Returning Officer of the said City, shall, at the opening of the said Court, deliver to the Revising Barrister the several Lists so made out by them respectively, or transmitted to such Returning Officer as aforesaid, (and also the original Notices of Claim, and the original Notices of Objection, and original Notices of Omission, so given to them respectively as aforesaid;) and the said Overseers shall also produce at the said Court all Rates made for the relief of the Poor of their respective parishes or townships, during the Eighteen Months preceding the time at which such Court shall be held; and every such Revising Barrister shall have power to require any Returning Officer or other Person having the custody of the Register of Voters for such City or Borough for any former year, any Assessor or Collector of Taxes, or other Officer having the custody of any Duplicate or Tax Assessment, or any Overseer or Overseers, or other Person, having the custody of any Poor Rate, to produce the same respectively before him at any Court to be held by him for the purpose of assisting him in revising the Lists to be by him revised in pursuance of this Act.

49. Powers of Revising Barrister to insert and expunge Names.

And be it Enacted, That the Revising Barrister shall insert in the List of Voters for such city or borough, the Name of every Person omitted therefrom, who shall be proved to the satisfaction of such Revising Barrister to have given due Notice of his Claim to be inserted in such List, and to have been entitled, at the expiration of the time allowed for making out such List, to have his Name inserted therein in respect of the qualification described in such Claim; and such Member of the said Court shall expunge from the List the name of every

Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such Person was entitled, at the expiration of the time allowed for making out such List, to have his Name inserted therein, in respect of the qualification described in such List, or in case it shall be proved to the satisfaction of such Revising Barrister that such Person was then legally incapacitated from voting in the election of Members to serve in Parliament, and that such incapacity has not since ceased, and shall also expunge the name of every Person who shall be proved to him to be dead; and shall correct any mistake which shall be proved to him to have been made in such List as to any of the particulars required to be inserted therein; and wherever the Christian Name, or the place of Abode, or the nature of the Qualification, or the local description of the Property of any Person who shall be included in such List, shall be wholly omitted in any case where the same is by this Act directed to be specified therein, such Revising Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted be supplied to his satisfaction before he shall have completed the revision of such List, in which case he shall then and there insert the matter so supplied in such List: Provided always, That no Person's Name shall be expunged as aforesaid except in case of his death, or of any such omission as hereinbefore mentioned, unless the Party who shall have objected to such Person shall appear before such Revising Barrister, by himself or by some one in his behalf, in support of such objection, or in default of such appearance, some other Person, whose Name shall be in such List shall then and there appear to support such objection, and shall declare, by writing by him signed and delivered to such Revising Barrister, that he is willing to be deemed to be the party objecting in the place and stead of the party who shall have objected as aforesaid, nor unless such Revising Barrister shall be satisfied that the Notice of Objection shall have been duly given as is hereinbefore required in each of the said cases: Provided also, That it shall not be lawful for the Revising Barrister to inquire into any Objection or Omission, the ground or reason whereof shall not have been stated in the said Notice of Objection or Omission: Provided also, That the fact of the name of any Person objected to or omitted being upon the Register of Voters for such city or borough in force at the time of such revision, shall be good *primâ facie* evidence of such Person being entitled to have his name upon such Register or List of Voters as aforesaid: Provided also, That in the case of Freemen it shall not be lawful for the Revising Barrister to question the title of any Freeman as such whose title to be on the Roll of Freemen could not be questioned by *quo warranto* or information in the nature of a *quo warranto*.

Objecting Party, or some one on his behalf, to appear in support of Objection.

No inquiry into any ground of Objection not stated in the Notice.

Fact of the Name being on the Register to be *primâ facie* Evidence of Title.

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50. Power to adjourn Courts, administer Oaths, and to commit for contempt.

And be it Enacted, That every Revising Barrister holding any Court under this Act as aforesaid shall have power to adjourn the same from time to time and from any one place to any other place or

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places within the same county, riding, parts or division, or within the same city or borough, or within any place sharing in the election for such city or borough, but so as that no such adjourned Court shall be held more than Twenty-one days after the time of the adjournment thereof, or of the first of such adjournments, if there shall be more than one; and every such Revising Barrister shall have power to administer an oath (or, in the case of a Quaker or Moravian, an affirmation) to all Clerks of the Peace, High Constables, Overseers, Town Clerks, Returning Officers, Clerks of the Livery Companies and Ward Beadles, and to all Persons making objection to the insertion or omission of any Name in any List of Voters for any county, riding, parts or division of a county, or for any city or borough, and to all Persons objected to or claiming to be inserted in any such List, or claiming to have any mistake corrected or any omission supplied in any such List, and to all Witnesses who may be tendered on either side; and all Clerks of the Peace, High Constables, Overseers, Town Clerks, Returning Officers, Clerks of the Livery Companies, Ward Beadles, and all such Persons and Witnesses as aforesaid are hereby required to answer all questions necessary for the purposes of this Act, that may be put to them by the Revising Barrister, on oath or affirmation; and it shall be lawful for every Revising Barrister to exercise the same power of committing for contempt of court any such Person or Witness as aforesaid refusing to answer any such question as aforesaid on oath or affirmation, as any Court of Record might exercise in the like case; and if any Person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be deemed guilty of Perjury, and shall be punished accordingly; and the Revising Barrister shall upon the hearing in open Court finally determine upon the validity of all claims and objections, and shall for that purpose have the same powers, and proceed in the same manner (except where otherwise directed by this Act) as the Revising Barristers heretofore under the provisions of the said recited Act, and such Revising Barrister shall in open Court write his Initials against the Names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected or any omission supplied, or the name of any polling place inserted, and shall sign his Name to every page of the several Lists so settled.

Revising Barrister to proceed in same manner as under Will. 4. c. 45

51. Clause (S.) No Party to be heard by Counsel before Revising Barristers.

And be it Enacted, That no party shall be heard by Counsel before any Revising Barrister holding any Court for the revision of Lists of Voters.

52. County Lists to be transmitted to Clerk of the Peace, and to be by him copied into a Book.

And be it Enacted, That the Lists of Voters for each county, or for the riding, parts or division of each county so signed as aforesaid by the Revising Barrister shall be forthwith transmitted by him to the Clerk of the Peace; and the Clerk of the Peace shall keep the said Lists among

among the Records of the Sessions, arranged according to Polling Districts in alphabetical order, and with every parish or township within each Polling District likewise in alphabetical order, and shall forthwith cause the said Lists to be fairly and truly copied in the same order, in a book to be by him provided for that purpose; and shall prefix to every name so copied out its proper number, beginning the numbers from the first name, and continuing them in a regular series down to the last name, and shall in every year within Twenty-eight days next after the revision of the Lists of Voters for his county, riding, parts or division shall have been completed, complete and deliver such book, to the Sheriff of the County or his Under Sheriff, who shall safely keep the same, and shall at the expiration of his office deliver over the same to the succeeding Sheriff or his Under Sheriff;

Borough Lists to be delivered to the Returning Officer, and to be by him copied into a Book.

and the Lists of Voters for each city or borough so signed as aforesaid by the Revising Barrister, shall be forthwith delivered by him to the Returning Officer for such city or borough, who shall safely keep the same, and shall cause the said Lists to be fairly and truly copied in a book to be by him provided for that purpose, with every name therein numbered according to the directions aforesaid; and shall in every year within Twenty-eight days next after the revision of the Lists of Voters for his city or borough shall have been completed, complete such book, and shall deliver over such book, together with the Lists, at the expiration of his office, to the person succeeding him in such office; and such book shall be the Register of Voters in force for any county, riding, parts or division of a county, and for any city or borough, from the day of its completion exclusive, till the day of completion inclusive of the like book after the next revision of the List of Voters for such country, riding, parts or division of a county, or for such city or borough.

Such Books to be the Register of Voters for One Year.

53. Revising Barrister to furnish Clerk of Peace and Returning Officer with disallowed and expunged Names.

And be it Enacted, That the Revising Barrister shall furnish the Clerk of the Peace in counties, and the Returning Officer in cities or boroughs respectively (as the case may be) with a List of the Names of the Persons whose claims to vote he has not allowed, and of the names expunged by him from any List revised by him, and the said Clerk of the Peace and Returning Officer shall preserve such List of disallowed Claimants and expunged Names, and shall enter the same in a separate book, to be by them provided for that purpose.

54. Persons may be summoned as Witnesses before the Courts of Revision.

AND whereas it is expedient to make provision for compelling the attendance of Witnesses before the Courts of Revision for the purpose of being examined touching any matters cognizable before such Courts; BE it therefore Enacted, That for the purpose of compelling the attendance of Witnesses before any Court, to be holden for revising the List of Voters for any county, riding, part or division, the Clerk of the Peace for such county, riding, part or division, or Revising Barrister who shall

shall revise the said List, and for the purpose of compelling the attendance of Witnesses before any Court to be holden for revising the List of Voters for any city or borough, the Returning Officer such city or borough, or the Revising Barrister who shall revise the last-mentioned List, shall and they are hereby respectively required, upon the application of any Party requiring the same, to issue a Summons under his hand, calling on any Person or Persons to be therein named, to attend before any Court of Revision to be held before such Revising Barrister respectively to be examined touching any matter cognizable before such Court.

55. Proceedings against Persons summoned, who shall not attend the Court.

And be it further Enacted, That the service of every such Summons upon any Person shall be good and effectual to compel the attendance of such Person to be examined before such Court in any part of *England* and *Wales*, or the Town of *Berwick-upon-Tweed*; and in case the Person served shall not appear according to the exigency of such Summons, it shall be lawful for the Revising Barrister before whose Court such Person shall have been by such Summons required to attend, to transmit a Certificate of such default under his hand to the Court of King's Bench in *England*, and the Court of King's Bench shall upon such Certificate proceed against and punish such Person so having made default, in like manner as they might have done if such Person had neglected or refused to appear in obedience to a Subpœna issued out of that Court: Provided always, That the Court of King's Bench shall not in any case proceed against or punish any Person for such default, unless it shall be made to appear to such Court that a reasonable and sufficient sum of money to defray the expenses of going and returning and attending to give evidence, had been tendered to such Person at the time when such Summons was served upon such Person.

56. Power to fine Clerk of the Peace, High Constable, Returning Officer, Town Clerk or Overseer, for neglect of duty.

And be it Enacted, That if any Clerk of the Peace, High Constable, Returning Officer, Clerk of any Livery Company, Town Clerk or Overseer within the meaning of this Act, shall wilfully contravene the directions of this Act, or wilfully neglect or refuse to perform any duty imposed upon him by this Act, such Clerk of the Peace, Returning Officer or Town Clerk shall for every such offence be liable to pay by way of fine, any sum of money not exceeding in the case of any Clerk of the Peace, Returning Officer, Clerk of any Livery Company or Town Clerk, Fifty Pounds nor less than Ten Pounds, and in the case of any High Constable or Overseer Five Pounds nor less than Twenty Shillings, to be imposed by and at the discretion of the Revising Barrister who shall revise the List of Voters, in the preparation or in the revision of which or in relation to which such offence or offences shall have been committed.

57. Fines, to whom payable, and to what purpose to be applied.

And be it Enacted, That whenever any such Fine shall be imposed on any Clerk of the Peace, High Constable, or on any Overseer for any

any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any county, riding, parts or division of a county, such fine shall, after defraying the expense of the Clerk of the Peace, and of the High Constables, as hereinafter mentioned be paid to the use of the general rate of such county, riding, parts or division of a county; and wherever any such fine shall be imposed on any Returning Officer, Town Clerk or Overseer for any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any city or borough, such fine shall be paid to the use of the Borough Fund; and it shall, after defraying the expenses attending the Registration of Voters for such city or borough, be lawful for the Revising Barrister imposing any such fine as aforesaid, to order the Party offending to pay such fine to some Person to be by him the said Barrister authorized to receive the same, and to be applied by such Person for the use of the said county, riding, parts or division of a county, or for the use of the said city or borough, as the case may be; and such Barrister shall make his order or certificate in writing for that purpose, according to the Form, Number (3.) in the Schedule (IV.) to this Act annexed, or to the like effect.

58. Power to give Costs in certain cases to Parties claiming or objecting.

And be it Enacted, That if in revising the List of Voters for any county, riding, parts or division of a county, or for any city or borough, it shall appear to the Revising Barrister that any Person objected to as hereinbefore mentioned had no reasonable and probable cause for making his claim to be inserted in such List, in every such case it shall be lawful for such Revising Barrister to order the Person having made such claim to pay to the objecting Party his costs of making and supporting such objection, and the Revising Barrister shall thereupon tax such costs, and make and deliver to the Party objecting an Order or Certificate signed by him for the payment to him, by the said Person so objected to, of the amount of such taxed costs, and that, if in revising the List of Voters for any county, riding, parts or division of a county, or for any city or borough, any Person objected to as hereinbefore mentioned shall appear by himself, or some one on his behalf, before the Revising Barrister, and shall defend his title to have been inserted in any such List, and it shall appear to such Revising Barrister that he had no reasonable and probable cause for such defence, in every such case it shall be lawful for such Revising Barrister to order the Person so appearing and defending his title, to pay to the objecting party his costs of making and supporting such objection; and the Revising Barrister shall thereupon tax such costs, and make and deliver to the party objecting an order or certificate, signed by him, for the payment to him by the said Person so objected to as aforesaid of the amount of such taxed costs; and if any Person objecting as hereinbefore mentioned to any other Person as not having been entitled to have his Name inserted in such List, shall not appear, by himself or by some one in his behalf, in support of such objection before the Revising Barrister on the revision

revision of such List, or if it shall appear to the Revising Barrister that the Person objecting had made such objection without any reasonable and probable cause, or if the name of any Person upon the Register of Voters in force for the time being for any city or borough, shall be omitted by any Overseer or by the Clerk of any Livery Company, from the List of Voters, to be made by him as hereinbefore directed, and it shall appear to the Revising Barrister on the revision of such List that such omission was made without any reasonable and probable cause, then and in either of the said cases, it shall be lawful for the said Revising Barrister to order the Party having so objected, or having made such omission, to pay to the Party objected to or omitted, the costs incurred by him in consequence of such objection or omission, and in supporting his title to remain on the List of Voters; and the Revising Barrister shall thereupon tax such costs, and make and deliver to the Person objected to or omitted as aforesaid, an Order or Certificate, signed by him, for the payment to such Person by the Party objecting or omitting as aforesaid of the amount of such taxed costs: Provided always, That in no case shall the Revising Barrister tax any such costs to a greater amount than the sum of Ten Pounds, nor shall more than the sum of Ten Pounds be recoverable by virtue of any such Order or Certificate: Provided also, That the Revising Barrister shall have no power to award the payment of any costs by any person in respect of an Objection made by him to the insertion of the Name of any Person for the first time, on any Register or List of Voters.

59. Fines and Costs to be recovered by distress and sale of the Party's Goods.

And be it Enacted, That in case the Person ordered by any such order or certificate to pay any sum of money by way of Fine, or for Costs as aforesaid, shall not pay the same when demanded, or in case any person liable to pay the sum of money mentioned in any certificate of the Chief Revising Barrister, in respect of such costs of appeal as hereinbefore mentioned, shall not pay the same when demanded, then and in either of the said cases it shall be lawful for any Justice of the Peace of the county, riding, parts or division of a county, or for the city or borough to which the List of Voters respecting which such order or certificate shall have been made by the Revising Barrister or Chief Revising Barrister, as the case may be, shall belong, or in case such person shall reside in some other county, then for any Justice of the Peace of the county, or for the city or borough in which such Person shall reside, and every such Justice is hereby required, upon due proof to him made that a copy of the said Order or Certificate hath been served upon such Person, and that the sum of money therein mentioned hath been duly demanded of him, and that he hath refused or neglected to pay the same, to cause the said sum of money to be levied by distress and sale of his goods and chattels, wherever the same may be found in *England* and *Wales*, together with the expenses of such levy; and

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the said Justice shall make his warrant for such levy under his hand and seal, according to the Form numbered (4.) in the Schedule (IV.) to this Act annexed, or to the like effect; and no Certiorari or other writ or process for the removal of any such order or certificate or warrant, or any proceedings thereon, into any of His Majesty's Courts at *Westminster*, shall be allowed or granted: Provided always, That nothing herein contained as to any such Fine as aforesaid, shall in any way affect or abridge the right of action against any High Constable or Overseer, according to the form and effect of the said recited Act in that behalf.

60. Copies of the Registers to be printed for sale.

And be it Enacted, That the Clerk of the Peace of every county, riding, parts or division of a county shall cause to be printed Copies of the Register of Voters for his county, riding, parts or division of a county, and shall sell such copies at a reasonable price to all Persons applying for the same; and the Monies arising from the sale thereof shall, after defraying the expense of the Clerk of the Peace and of the High Constables as hereinafter mentioned, be accounted for to the Treasurer of the county, riding, parts or division; and the Returning Officer of every city or borough shall cause to be printed Copies of the Register of Voters for such city or borough, and shall sell such copies at a reasonable price to all Persons applying for the same; and the Monies arising from the last-mentioned sale shall be accounted for by such Returning Officer to the Overseers of the several parishes and townships within the said city or borough, in proportion to the number of Persons belonging to each parish or township, placed on the Register of Voters, and shall be applied by the said Overseers to the same purposes as Monies collected for the relief of the Poor; and the names of the "Disallowed Claimants" and the "Expunged Names" shall be printed at the end of such Register of Voters, separately from the names of the Voters.

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61. Expenses of Clerks of the Peace and High Constables, &c. how to be defrayed.

And be it Enacted, That all Expenses incurred by the Clerk of the Peace of any county, riding, parts or division of a county, and by the High Constables within such county, riding, parts or division of a county in carrying into effect the provisions of this Act, shall be defrayed by the Treasurer of such county, riding or parts, out of any public Money in his hands, and he shall be allowed all such payments in his Accounts: Provided always, That no such Expenses shall be so defrayed, unless the Account thereof be laid before the Justices of the Peace at the next Quarter Sessions after such Expenses shall have been incurred, and be allowed by the Court.

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62. Expenses of Overseers, Returning Officers, &c. how to be defrayed.

And be it Enacted, That all Expenses incurred by the Overseers of any parish or township in carrying into effect the provisions of this Act, shall be defrayed out of the Money collected for the relief of the Poor in such parish or township; and that all Expenses incurred by the Returning

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Returning Officer and Town Clerk of any city or borough in carrying the provisions of this Act into effect, shall be defrayed by the Overseers of the Poor of the several parishes and townships within such city or borough or place sharing in the election therewith, out of the Money collected for the use of the Poor in such parishes and townships, in proportion to the number of Persons belonging to each parish or township, placed on the Register of Voters: Provided always, That no Expenses so incurred by any Overseer, Returning Officer or Town Clerk under this Act shall be so defrayed, unless the Account be laid before the Revising Barrister and be allowed by him.

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63.

Provision as to the right of voting of Trustees and Mortgagees.

AND whereas it is enacted by the said recited Act, that no Person should be allowed to have any Vote in the Election of a Knight or Knights of the Shire for or by reason of any trust estate or mortgage, unless such Trustee or Mortgagee be in actual possession or receipt of the rents and profits of the same estate: AND whereas doubts have arisen as to the true intent and meaning of such last-mentioned enactment; BE it therefore Declared and Enacted, That no mortgagee shall have any vote in the Election of a Knight or Knights of a Shire, as a Mortgagee or Trustee for or by reason of any mortgage estate, unless he be in actual possession or receipt of the rents and profits of such estate for his own use; and that no Trustee shall have any vote in any such election by reason of any trust estate unless he be in actual possession or receipt of the rents and profits of such estate for charitable uses, and be entitled by or in pursuance of the instrument creating the trust to exercise a control or disposition over the rents and profits of the same estate, or some portion of them, or to exercise a power in selecting from time to time the parties to be benefited thereby: Provided always, That where the number of such Trustees of any trust shall exceed the number of three, Three only of such Trustees shall be entitled to be placed on the Register of Voters in respect of such trust; and such Three shall be the Three Trustees who shall from time to time be the first named in the deed or instrument, deeds or instruments creating, regulating or transferring the trust.

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64.

Occupancy of any Building jointly with any other Building, being together of the yearly value of 10*l.* shall entitle to vote in Borough Elections.

AND whereas it is enacted by the said recited Act, that in every city or borough which should return a Member or Members to serve in any future Parliament, every Male Person of full age, and not subject to any legal incapacity, who should occupy within such city or borough or within any place sharing in the election of such city or borough, as owner or tenant, any house, warehouse, counting-house, shop or other building, being either separately or jointly with any land within such city, borough or place occupied therewith by him as tenant under the same landlord, of the clear yearly value of not less than Ten Pounds, should, if duly registered according to the provisions thereinafter contained, be entitled to vote in the Election of a Member or

Members to serve in any future Parliament for such city or borough: AND whereas doubts have arisen as to the construction and meaning of certain parts of the said enactments; BE it therefore Declared and Enacted, That the occupation of any house, warehouse, counting-house, shop or other building, jointly with any other warehouse, counting-house, shop or other building, or with any number or combination of such premises, within any city or borough, and being together of the yearly value of not less than Ten Pounds, shall be deemed to be within the true intent and meaning of the said enactment.

65. Building occupied with Land must be of 5*l.* clear yearly value.

Provided always, and be it Enacted, That no Person who shall occupy within any city or borough, any building or buildings, not being a dwelling-house or dwelling-houses jointly with any land, shall be entitled to vote in the Election of a Member or Members to serve in Parliament for any city or borough, in respect of the occupation of such premises, unless such building or buildings, when taken separately from such land, shall be of the clear yearly value of not less than Five Pounds.

66. As to Payment of Poor's Rate and Assessed Taxes.

AND whereas it is enacted and provided by the said recited Act, that no person occupying such premises as in the said recited Act mentioned, of the clear yearly value of not less than Ten Pounds, should be registered in any year, unless he should have paid on or before the Twentieth day of July in such year, all the Poor's Rates and Assessed Taxes which should have become payable from him in respect of such premises previously to the Sixth day of April then next preceding; BE it therefore Enacted, That every Person occupying such premises as in the said recited Act mentioned, of the clear yearly value of not less than Ten Pounds, who shall have paid, within One calendar Month, limited for that purpose in the notice to be fixed up by Overseers within Seven Days after the precept received by them from the Returning Officer as hereinbefore directed, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such premises during the year ending Three calendar Months before the expiration of such One calendar Month, shall have the same title to be registered in that year, as he would have had under the said recited Act, by the payment on or before the Twentieth day of July of all the Poor Rates and Assessed Taxes, which would have become payable from him in respect of such premises previously to the Sixth day of April in the same year.

67. Clause (T.) Regulation of period as to Qualification.

AND whereas it is Enacted by the said recited Act, That no Person shall be registered in any year as entitled to vote in the election of a Knight or Knights of the Shire to serve in Parliament in respect of his estate or interest in any lands or tenements as a Freeholder, Copyholder, Customary Tenant, or Tenant in ancient demesne, unless he shall have been

been in the actual possession thereof or in the receipt of the rents and profits thereof for his own use for Six calendar Months at least next previous to the last day of July in such year, nor in respect of any lands or tenements held by him as such Lessee or Assignee, or such Occupier and Tenant as in the said Act mentioned, unless he shall have been in the actual possession thereof, or in the receipt of the rents and profits thereof for his own use, as the case may require, for Twelve calendar Months next previous to the last day of July in such year, and that no Person occupying such premises in any city or borough as in the said Act mentioned, of the clear yearly value of not less than Ten Pounds, shall be registered in any year as entitled to vote in the Election of a Member or Members to serve in Parliament for such city or borough, unless he shall have occupied such premises for Twelve calendar Months next previous to the last day of July in such year, nor unless he shall have resided for Six calendar Months next previous to the last day of July in such year within the city or borough or place sharing in the Election therewith, or within such distance as therein mentioned; and that no Person shall be registered in any year as a Freeholder or Burgage Tenant entitled to vote in the Election of a Member or Members to serve in Parliament for any city or town, unless he shall have been in the actual possession of the freehold or burgage tenement, or in the receipt of the rents and profits thereof, for his own use for Twelve calendar Months next previous to the last day of July in such year, nor unless he shall have resided for Six calendar Months next previous to the last day of July in such year within such city or town or within such distance as therein mentioned; and that no Person shall be registered in any year as entitled to vote in the Election of a Member or Members to serve in Parliament for any city or borough, either as a Burgess or Freeman, or in the city of *London* as a Freeman and Liveryman, unless he shall on the last day of July in such year be qualified in such manner as would entitle him then to vote if such day were the day of the Election, nor unless where he shall be a Burgess or Freeman, or Freeman and Liveryman of any city or borough, he shall have resided for Six calendar Months next previous to the last day of July in such year within such city or borough or within such distance as therein mentioned, nor unless where he shall be a Burgess or Freeman of some place sharing in the Election with any city or borough, he shall have resided for Six calendar Months next previous to the last day of July in such year within such place sharing as aforesaid, and that no Person shall be registered as entitled to vote in the Election of a Member or Members to serve in Parliament for any city or borough in virtue of some other qualification than as a Burgess or Freeman, or as a Freeman and Liveryman, or a Freeholder or Burgage Tenant, and according to the usages and customs of such city or borough, unless he shall on the last day of July in such year be qualified as such Elector in such manner as would entitle him then to vote if such day were the day of

Election, nor unless where his qualification shall be in any city or borough, he shall have resided for Six calendar Months next previous to the last day of July in such year within such city or borough, or within such distance as therein mentioned, nor unless where his qualification shall be within any place sharing in the Election for any city or borough, he shall have resided for Six calendar Months next previous to the last day of July in such year within such place, and that Persons having a right to vote for the borough of *New Shoreham* or of *Cricklade*, *Aylesbury* or *East Retford* respectively, shall not be registered in any year unless they shall have resided for Six calendar Months next previous to the last day of July in such year within such Borough respectively, or within such distance as therein mentioned; and that no Person shall be entitled to be registered in any year as a Voter in the Election of a Member or Members to serve in Parliament for any city or borough, who shall within Twelve calendar Months next previous to the last day of July in such year have received parochial or other alms which by the law of Parliament disqualify from voting in the Election of Members to serve in Parliament; BE it therefore Enacted, That the said several spaces or periods of time required by the said recited Act for being in possession or receipt of the rents and profits, or in the occupation of any lands and tenements, or for any premises, being either the same premises or different premises occupied in immediate succession, as in the said recited Act mentioned, or for residing or for being qualified as a Voter, or for not having received parochial relief or other disqualifying alms in order to be registered as entitled to vote in the Election of a Knight or Knights of the Shire, or of a Member or Members to serve in Parliament for any city or borough, instead of being reckoned from the last day of July, shall hereafter be reckoned from the days following respectively; that is to say, in case of any qualification for voting for Knights of the Shire, then from the day on which the Overseers of any parish or township are hereby required to make out the List of Claimants to be inserted in the List of Voters for counties; and in case of any qualification for voting for Members to serve in Parliament for any borough, then from the day on which such Overseers are hereby required to make out the List of Persons entitled to vote in the Election of Members to serve in Parliament for such borough; and in the case of any qualification for voting as a Freeman for such Members as last aforesaid, then such space or period of time shall be reckoned from, or shall be the day on which the Town Clerk is hereby required to make out the List of Persons who shall be on the Register for the time being of Freemen and of Claimants to be inserted in the List as Freemen.

68. How distances to be measured.

AND whereas doubts have arisen as to the proper mode of measuring the distance of Seven statute Miles in the said recited Act mentioned and therein prescribed, as to the residence of Voters for any city or borough; BE it therefore Enacted, That the said distance shall be measured in a straight

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a straight line from the same point within any city or borough or place sharing in the election therewith, from which such distance is to be measured according to the directions in that behalf in the said recited Act: Provided always, That in cases where there is now, or shall hereafter be, a Map of any city or borough and of the county or counties surrounding the same, sufficiently extensive for the purpose drawn, or published under the authority and direction of the Principal Officers of His Majesty's Ordnance, such distance shall be measured and determined by the said Map.

69.
CLAUSE (BB.) Right of being replaced on the Register reserved to Persons omitted therefrom in consequence of their receiving Parochial Relief, or being on Naval or Military Service.

AND whereas it is provided by the said Act, that every such person as therein mentioned shall for ever cease to enjoy the right of voting in the election of Members to serve in Parliament for any city or borough, if his name shall have been omitted for Two successive years from the Register of Voters for such city or borough, unless he shall have been so omitted in consequence of his having received parochial relief within Twelve calendar Months previously to the last day of July in any year, or in consequence of his absence on the naval or military service of His Majesty; BE it therefore Enacted, That every such Person so omitted for Two successive years shall for ever cease to enjoy such right of voting as aforesaid, unless he shall have been so omitted in consequence of his having received parochial relief within Twelve calendar Months previous to the day on which the Overseers are hereby required to make out the List of Persons entitled to vote in the election of Members to serve in Parliament for such city or borough, or in consequence of his absence on the naval or military service of His Majesty.

70.
Freeholders in New Shoreham, Cricklade, &c. need not be assessed to Land Tax.

AND whereas doubts have arisen whether, in order to entitle any Person to vote for the Borough of *New Shoreham*, or of *Cricklade*, *Aylesbury* or *East Retford* respectively, in respect of any freehold messuages, lands or tenements therein situate, it is necessary that the same should be assessed to the Land Tax; BE it therefore Declared and Enacted, That in order to entitle any Person to vote in any election of Members to serve in Parliament in respect of any freehold messuages, lands or tenements situate within the Borough of *New Shoreham*, *Cricklade*, *Aylesbury* or *East Retford* respectively, it shall not be necessary that the same shall be assessed to the Land Tax, any statute to the contrary notwithstanding.

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71.
Clause as to putting Questions at the Poll repealed.

AND whereas it is enacted by the said recited Act, that certain Questions might be put to every Voter at the time of his tendering his vote in any Election: AND whereas it is expedient that all the provisions contained in the said recited Act, touching and concerning the said Questions, and the administering and taking of any oath at the time of polling should be repealed, and other provisions be enacted in lieu thereof; BE it therefore Enacted, That the said Provisions shall be and the same are hereby Repealed.

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72. No Inquiry at time of Election, except as to identity of the Voter, and whether he has voted before at same Election.

And be it Enacted, That in all Elections whatever of a Member or Members to serve in Parliament for any county, riding, parts or division of a county, or for any city or borough in *England* or *Wales*, or the Town of *Berwick-upon-Tweed*, no inquiry shall be permitted at the time of polling as to the right of any Person to vote, except only as follows; (that is to say) that the Returning Officer or his respective Deputy shall, if required on behalf of any Candidate, put to any Voter at the time of his tendering his vote, and not afterwards, the following Questions, or either of them:

1. Are you the same Person whose name appears as *A. B.* on the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

2. Have you already voted, either here or elsewhere, at this Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

Register to be conclusive Evidence of the Voters retaining the same Qualification.

And the Register shall be deemed and taken to be conclusive evidence that the Persons therein named continue to have the qualifications which are annexed to their names respectively in such Register, while such Register is in force; and if any Person shall wilfully make a false answer to either of the Questions aforesaid, he shall be deemed guilty of a Misdemeanor, and shall and may be indicted and punished accordingly; and the Returning Officer or his Deputy, or a Commissioner or Commissioners to be for that purpose by law appointed, shall, if required on behalf of any Candidate at the time aforesaid, administer an Oath, or (in case of a Quaker, Moravian or Separatist) an Affirmation, to any Voter in the following form:

Oath to be taken if required.

"YOU do swear [*or*, affirm, *as the case may be*] that you are the same Person whose name appears as *A. B.* on the Register of Voters now in force for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be*], and that you have not before voted, either here or elsewhere, at the present Election for the County of or for the Riding, Parts or Division of the County of or for the City or Borough of [*as the case may be.*]

"So help you GOD."

73. No other Oath to be taken.

And be it Enacted, That save as aforesaid it shall not be lawful to require any Voter at any Election whatever of a Member or Members to serve in Parliament to take any Oath or Affirmation, either in proof of his freehold or of his residence, age or other qualification or right to vote, any law or statute, local or general, to the contrary notwithstanding;

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standing; nor to reject any vote tendered at any such Election by any person whose name shall be upon the Register of Voters in force for the time being, except by reason of its appearing to the Returning Officer or his Deputy, upon putting such Questions as aforesaid, or either of them, that the Person so claiming to vote is not the same Person whose name appears on such Register as aforesaid, or that he has previously voted at the same Election, or except by reason of such Person refusing to answer the said questions or either of them, or to take the said Oath, or make the said Affirmation, or to take or make the Oath or Affirmation against Bribery; and no Scrutiny shall hereafter be allowed by or before any Returning Officer with regard to any Vote given or tendered at any such Election; any law, statute or usage to the contrary notwithstanding.

No Scrutiny to be allowed.

74.
CLAUSE (A.) For providing for the safe custody of Poll Books.

AND whereas it is enacted by the said recited Act, that at every contested Election for any county, riding or division of a county, city or borough in *England*, except the Borough of *Monmouth*, the Sheriff, Under Sheriff or Returning Officer should on the day therein mentioned, after the close of the Poll, openly break the seals on the several Poll Books, and cast up the number of Votes as they appear on the said several Books, and openly declare the state of the Poll, and make proclamation of the Member or Members chosen, not later than the time therein mentioned: AND whereas no adequate provision has been made for the safe custody and production of the said Poll Books subsequent to such declaration of the Poll and proclamation of the Members chosen at any contested election, in consequence whereof great mischief and expense have arisen in cases of disputed Returns of Members to serve in Parliament; BE it therefore Enacted, That at every contested election of a Member or Members to serve in Parliament for any county, riding, parts or division of a county, or for any city or borough in *England* or *Wales*, or for the town of *Berwick-upon-Tweed*, the Sheriff, Under Sheriff or Returning Officer, after having declared the state of the Poll, and made proclamation of the Member or Members chosen to serve in Parliament in the manner provided for by the said hereinbefore in part recited Act, shall forthwith enclose and seal up the several Poll Books and tender the same to each of the Candidates, to be sealed by them respectively; and in case any Candidate shall neglect or refuse to seal the same, the Sheriff, Under Sheriff or Returning Officer shall thereupon endorse on one of the said Poll Books the fact of such neglect or refusal, and every such Sheriff, Under Sheriff or other Returning Officer shall transmit the said several Poll Books so sealed as aforesaid, to the Clerk of the Crown in the High Court of Chancery, to be by him kept and preserved, who shall endorse thereon the day upon which he received the same.

75. CLAUSE (B.) Clerk of the Crown to deliver attested copies of Poll Books.

And be it further Enacted, That the Clerk of the Crown shall, if required in writing by any Candidate or Candidates at such election, or by any Petitioner who shall have entered into recognizances to prosecute a Petition against the Return, deliver to him or them, or his or their agent, an attested copy of the Poll Books taken at such Election, on payment of a reasonable charge for writing the same; and after such copy shall have been made, then the said Clerk of the Crown shall re-seal the said several books with his own seal.

76. CLAUSE (C.) Clerk of the Crown to produce Poll Books before Election Committee if required.

And be it further Enacted, That the said Clerk of the Crown shall, upon receiving a Warrant signed by the Chairman of any Committee of the House of Commons appointed for the trial of Controverted Elections, produce, by himself or his agent, before such Committee the said several books so deposited with him as aforesaid, and such production shall be sufficient *primâ facie* proof of the authenticity of the said Poll Books.

77. CLAUSE (CC.) Parties wilfully contravening the Act, liable to an Action for Debt.

And be it Enacted, That every Sheriff, Under Sheriff, Clerk of the Peace, Town Clerk, Returning Officer, Clerk of the Crown, Overseer or other Person, or public Officer required by this Act to do any matter or thing, shall for every wilful misfeasance, or wilful act of commission or omission contrary to this Act, forfeit to any party aggrieved the penal sum of One hundred Pounds, or such less sum as the Jury before whom may be tried any action to be brought for the recovery of the before-mentioned sum shall consider just to be paid to such party, to be recovered by such party, with full costs of suit by action for debt in any of His Majesty's superior Courts at *Westminster:* Provided always, That nothing herein contained shall be construed to supersede any remedy or action against any returning officer, according to any law now in force.

78. Power to Committees on Election Petitions to decide as to right of Voting.

AND whereas in and by the said recited Act it is provided, that upon petition to The House of Commons, complaining of an undue Election or Return of any Member or Members to serve in Parliament, any Petitioner or any Person defending such Election or Return shall be at liberty to impeach the correctness of the Register of Voters in force at the time of such Election, by proving that in consequence of the decision of the Barrister who shall have revised the Lists of Voters from which such Register shall have been formed, the Name of any Person who voted at such Election was improperly inserted or retained in such Register, or the name of any Person who tendered his vote at such Election improperly omitted from such Register, and the Select Committee appointed for the trial of such Petition shall alter the Poll taken at such Election according to the truth of the case, and shall report their determination thereupon to The House, and The House shall thereupon carry such determination into effect, and the Return shall be amended

amended or the Election declared void, as the case may be, and the Register corrected accordingly, or such other order shall be made as to The House shall seem proper: AND whereas doubts have arisen as to the true intent and meaning of the said enactment with respect to the power and authority of any such Committee to inquire into the validity or invalidity of the Vote of any Person being on the Register of Voters in force at the time of such Election; BE it therefore Enacted, That it shall and may be lawful for any such Committee to inquire into and decide upon the right to vote of any Person who being upon the Register of Voters in force at the time of such Election, shall have voted in such Election, or not being upon such Register, shall have tendered his vote at such Election, in case the name of such Person shall have been specially retained upon such Register, or inserted therein, or expunged or omitted therefrom, by the express decision of the Revising Barrister who shall have revised the Lists of Voters from which such Register shall have been formed, or by the decision of the said Court of Appeal; and also that it shall and may be lawful to such Committee to inquire into and decide upon the right to vote of any Person who, being upon such Register, shall have voted in such Election, so far as the same may be disputed on the ground of legal incapacity at the time of his voting, under and by virtue of any statute now or hereafter to be in force, or on the ground of any other legal incapacity at the time of his voting, which may have arisen subsequently to the expiration of the time allowed for making out the List of Voters from which the Register of Voters in force at the time of such Election shall have been formed; but that, except in such cases or on such grounds as aforesaid, the Register of Voters in force at the time of such Election, shall be final and conclusive, to all intents and purposes, as to the right to vote in such Election of every Person who shall be upon such Register.

79. CLAUSE (DD.) Where no Returning Officer in Cities or Boroughs, Sheriff may act as Returning Officer.

AND whereas it may happen that on the receipt of any Writ or Precept, by any Sheriff or Sheriffs for any city or borough, the situation of Returning Officer may be vacant; BE it Enacted, That in such case it shall be lawful for the Sheriff or Sheriffs, whose business it may be to direct the writ or precept for the return of a Member or Members to serve in Parliament for any city or borough, by himself or themselves, or by his or their deputy, to act as Returning Officer for such city or borough.

80. CLAUSE (U.) Act may be amended this Session.

And be it Enacted, That this Act may be altered, varied or repealed, by any Act to be passed in this present Session of Parliament.

SCHEDULES to which this ACT refers.

Schedule I.

FORMS FOR COUNTIES.

No. 1.

WARRANT of the CLERK of the PEACE to the HIGH CONSTABLE.

County of } TO the High Constable [*or*, to one
to wit. } of the High Constables of the Hundred, or other like district] of within the said County.

You are hereby required to do as follows:

First, Within Ten days after the receipt of this Warrant you are to make out your precepts (the printed Forms of which are herewith sent to you) to the Overseers of the Poor of the several Parishes and Townships within your Constablewick; and you are within those Ten days to deliver one of your said precepts to the Overseers of the Poor of every such Parish and Township, together with a sufficient number of the printed Forms (herewith also sent to you), of the Notices and Lists, and of the Copies of such parts of the Register of Voters as relates to the Parish or Township of those Overseers, for their use; and if you find that the number herewith sent to you is not sufficient for all the places within your Constablewick, you are to apply to me for more.

Secondly.—On or before the [*here must be inserted the date of the eighty-ninth day from the date of the Warrant*] you are to receive from the Overseers of every Parish and Township within your Constablewick a copy of the List of Claimants in such Parish or Township, a copy of the part of the Register relating to such Parish or Township, and a copy of the List of Persons objected to as Voters therein, together with the original Notices of Objection and original Notices of Claim, and Copies of Notices of Objection delivered by the said Overseers; and immediately after receiving the same, you are to deliver all such Copies of Lists, parts of the Register and original Notices of Claim and original Notices and Copies of Notices of Objection to the Clerk of the Peace.

Thirdly.—Immediately after receiving Notice from the Clerk of the Peace of the times and places of the holding of the Courts for revising the Lists of Voters, you are to cause notice thereof to be fixed up in some public and conspicuous situation at every place within your Constablewick appointed for the holding of any such Court; and you are also to give Notice to the Overseers of every Parish or Township within your Constablewick of the time and place of holding the Court for revising the List of such Parish or Township, requiring them to attend the same.

Fourthly.

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Fourthly.—You are to attend the Courts to be held for revising the Lists of any Parish or Township within your Constablewick.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand, at in the said County, the day of

Clerk of the Peace for the said County, [Riding, &c.]

No. 2.

PRECEPT of the HIGH CONSTABLE to the OVERSEERS.

County of to wit. } TO the Overseers of the Poor of the Parish of [*or*, of the Township of]

By virtue of a Warrant from the Clerk of the Peace of the said County [Riding, &c.] unto me directed, you are hereby required to do as follows:

First.—On or before the [*here must be inserted the date of the Seventh Day from the date of the Precept*] you are to cause to be fixed on or near the outer doors of all the Churches and Chapels within your Parish [*or*, Township], or if there be no Church or Chapel therein, then to be fixed in some public or conspicuous situation within the same, a Notice (printed Forms of which are herewith sent), marked having first signed the same; and such Notice is to bear date the same day on which it is so fixed.

Secondly.—On or before the expiration of Ten Days next after a calendar Month from the day on which such Notice shall have been fixed by you, you are to make out an alphabetical List of all persons who, within a calendar Month from the day on which such Notice shall have been fixed up by you, shall have delivered or transmitted to you their claims as Voters for the County [Riding, &c.], in which your Parish [*or*, Township] lies, in respect of any property situate wholly or in part within your Parish [*or*, Township]; and in making out such List, you are to write or cause to be written the christian name and surname of every such person at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the Property, or the name of the occupier, according as the same are stated in the claim in the proper columns of the printed Form or List herewith sent. If you have reasonable cause to believe that any person so claiming, or that any person who is upon the part of the Register for your Parish [*or*, Township] herewith also sent, is not entitled to have his Name on the new Register about to be made, you are to add the word "objected" against his name in the margin of the List, or in the margin of the part of the Register; and you are also to add the word "dead" against the name of any person in the margin of such part of the Register whom you shall have reasonable cause to believe to be dead. Having done thus, you are to sign the said List of Claimants, and to cause a sufficient number of Copies of such List to

be written or printed, and then you are to cause one of such Copies of the said List, and also one Copy of the part of the said Register to be fixed on or near the outer doors of every Church or Chapel within your Parish [*or*, Township], or if there be no Church or Chapel there, then to be fixed in some public or conspicuous place situate within the same, on the Two Sundays next after the said Ten Days.

Thirdly.—You are to keep a Copy of such List of Claimants, and a Copy of such part of the Register, to be perused by any Person without payment of any Fee, at all reasonable hours during the Fourteen Days next after the said Ten Days; and you are also to cause to be written or printed, Copies of the said List of Claimants, to be delivered to any person applying for the same on payment of a reasonable price for such Copy.

Fourthly.—If you shall have added the word "objected" against the name of any Person in the List of Claimants, or in the part of the Register, you must on or before the expiration of Twenty-eight Days from the said Ten Days, give such person a notice according to the Form numbered (6.) (herewith sent); and in such Notice must be stated the grounds of objection, and it must also be signed by you, or one of you. If the Place of Abode of the Person objected to, as described in the List or part of the Register be not within your Parish [*or*, Township], you may send the Notice by the post on or before the expiration of such Twenty-eight Days, directed to him at the Place of Abode stated in the List or part of the Register, but it must be sent free of postage, or the postage thereof must be paid.

Fifthly.—Immediately after the expiration of the said Twenty-eight Days, you are to make out a List according to the Form numbered (9.) (herewith sent), containing the name of every Person against whom a Notice of Objection shall have been given to you, or any one of you, on or before that day; and you are to cause copies of such List to be fixed (in the same Places as the other List) on the Two Sundays after the expiration of the said Twenty-eight Days, and you are to keep Copies of such List of Persons objected to, to be perused by any person without payment of any fee, at all reasonable hours during the Fourteen Days following the said Twenty-eight Days, and you are to deliver a Copy of such List to any person requiring the same, on payment of a sum not exceeding Three Half-pence for every Ninety Words.

Sixthly.—Within Four Days next after the said Twenty-eight Days, you are to deliver to the High Constable of the Hundred [*or*, like District] wherein your Parish [*or*, Township] is situate, a Copy of the List of Claimants, a Copy of the part of the Register, and also a Copy of the List of Persons objected to, together with the original Notices of Objection and original Notices of Claims, and Copies of all Notices of Objection delivered by yourself or any of you.

Seventhly.

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Seventhly.—You are to attend the Court to be held for revising the Lists relating to your Parish [*or*, Township]; and you are to deliver to the Barrister or Barristers holding such Court, the List of Claimants, and the List of Persons objected to, so made out and signed by you as aforesaid.

If you omit any of these matters, you will be subject to certain Penalties. Given under my hand this day of

A. B. High Constable of the Hundred of

No. 3.

NOTICE to be given by the OVERSEERS.

WE hereby give Notice, That all persons entitled to vote in the election of a Knight or Knights of the Shire for the County [*or*, for the Riding, &c.] of in respect of any property situate wholly or in part within this Parish [*or*, Township] who are not upon the Register of Voters now in force, or who being upon the Register shall not retain the same qualification, or continue in the same place of abode as described in such Register, are hereby required to deliver or transmit to us, or any one of us, within One calendar Month from the date hereof, a Notice by them signed of their claim as such Voters according to the Form hereunder set forth. Any person who is upon the present Register may also make his claim, if he thinks fit; but it is not necessary that he should do so if he has the same qualification and place of abode as now described in the Register.

Dated this day of

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish [*or*, Township] of

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No. 4.

FORM of NOTICE of CLAIM to be given to the OVERSEERS.

TO the Overseers of the Parish of [*or*, Township of]

I HEREBY give you Notice, That I claim to be inserted in the List of Voters for the County of [*or*, for the Riding, Parts, or Division of the County of *as the case may be*], and that the particulars of my place of abode and qualification are below. Dated the day of in the year

(signed) *John Adams.*

Place of abode, *Cheapside, London.*

Nature of qualification, freehold house, [*or*, warehouse, stable, land, field, annuity, rent-charge, &c. *as the case may be, giving such a description of the property as may serve to identify it.*]

Where situate in this Parish [*or*, Township], *King Street.* [*If the property be not situate in any street, lane, or other like place, then say*, "Name of the property, *Highfield Farm*," *or*, "Name of the occupying tenant, *John Edwards.*"]

No. 5.

County of to wit, [*or*, Riding, Parts, or Division of the County of *as the case may be.*] THE LIST of PERSONS entitled to vote in the Election of a Knight [*or*, Knights] of the Shire for the County of [*or*, for the Riding, Parts, or Division of the County of *as the case may be*], in respect of Property situate within the Parish of [*or*, Township, *as the case may be.*]

Christian Name and Surname of each Voter, at full Length.	PLACE of ABODE.	NATURE of QUALIFICATION.	Street, Lane, or other like Place in this Parish [*or*, Township] where the Property is situate, or Name of the Property, or Name of the Tenant.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the said Parish [*or*, Township.]

No. 6.

NOTICE of OBJECTION, to be given to the OVERSEERS.

TO the Overseers of the Parish of [*or*, Township, *as the case may be.*]

I HEREBY give you Notice, That I object to the name of William Ball being retained in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of] on the following ground: [*here must be stated shortly the ground of objection, as that the Party objected to has no Freehold, or that he has not had the Property for a sufficient time, or that it is not of sufficient value, or that he is personally disqualified, as being a minor or officer of revenue, &c.*

Dated the day of in the year

(signed) *A. B.* of [*Place of Abode.*]

No. 7.

FORM of NOTICE of OBJECTION, to be given to Parties.

To Mr. *William Ball, Market-street, Lancaster.*

I HEREBY give you Notice, That I object to your Name being retained in the List of Voters for the County of [*or*, for the Riding, Part, or Division of the County of] on the following ground: [*here must be stated shortly the ground of objection, as that the Party objected to has no Freehold, or that*

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that he has not had the Property for a sufficient time, or that it is not of sufficient value, or that he is personally disqualified as being a minor or officer of revenue, &c.]

Dated this . . day of . . One thousand eight hundred and

(signed) *A. B.* [*Place of Abode.*]

No. 8.

NOTICE of OBJECTION to be given by the OVERSEERS to Parties to whom they have objected in the margin of the List, or part of the Register.

To Mr. *William Ball, Market-street, Lancaster.*

TAKE Notice, That the Overseers of the Parish of [*or*, Township of] have objected to your Name being retained in the List of Voters for the County of [*or*, for the Riding, &c.] on the following ground: [*here must be stated shortly the ground of objection, as in the preceding Forms* 6 *and* 7.]

Dated this . . day of . . One thousand eight hundred and

(signed) *A. B.*
One of the Overseers of

No. 9.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to, as not being entitled to have their Names retained in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of]

Christian Name and Surname of each Person objected to, at full Length.	PLACE of ABODE.	Nature of the supposed Qualification.	Street, Lane, or other like Place in this Parish [*or*, Township] where the Property is situate, or Name of the Property, or Name of the Tenant.	GROUND of OBJECTION.
William Ball -	Market Street, Lancaster.	40*s.* freehold -	High Farm -	- - Not in bonâ fide occupation of the freehold, which is not of the clear yearly value of 10*l.* above all rents and charges, and has been acquired since the 2d Will. IV. c. 45.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish of [*or*, Township, *as the case may be.*]

Schedule II.

FORMS FOR CITIES AND BOROUGHS.

No. 1.

PRECEPT of the RETURNING OFFICER to the OVERSEERS.

City [*or*, Borough] of in the County of [*or*, Riding, &c.] (To wit.)

TO the Overseers of the Poor of the Parish of [*or*, to the Overseer of the Poor of the Township of]

YOU are hereby required to do as follows:—First, On or before the [*here must be inserted the date of the Seventh Day from the date of the Precept*], you are to cause to be fixed on or near the outer door of all Churches and Chapels within your Parish or Township, or if there be no Church or Chapel therein, then to be fixed in some public and conspicuous situation within the same respectively, a notice (printed Forms of which are herewith sent) marked No. 2, and such Notice must bear date the same day on which it is fixed up by you.

Secondly.—Within Ten Days next after a calendar Month from the date of such Notice, you are to make out, or cause to be made out, an alphabetical List of all Persons who may be entitled to vote in the Election of a Member or Members to serve in any future Parliament for this City [*or*, Borough] in respect of the occupation of premises of the clear yearly value of Ten Pounds, situate wholly or in part within your Parish or Township; and another alphabetical List of all other Persons (except Freemen) who may be entitled to vote in the Election for this City [*or*, Borough] by virtue of any other right whatsoever; and in making out each of the said Lists you must write, or cause to be written, the christian name and surname of every such Person at full length, together with the nature of his qualification; and when any Person shall be entitled to vote in respect of any property, you must state the name of the street, lane or other description of the place where such property may be situate; and when any Person shall be entitled to vote otherwise than in respect of any property, then you must state the name of the street, lane or other description of the place of abode of such Person; and after you have made out such Lists, you must sign them, and cause a sufficient number of copies thereof to be written or printed, and then you are to cause one copy of each List to be fixed on or near the outer doors of all the Churches and Chapels in your Parish or Township, or if there is no Church or Chapel therein, then you must cause them to be fixed in some public and conspicuous situation within the same, on the Two Sundays next after the expiration of the said Ten Days.

Thirdly.—If for any other reason than that of death, any Name upon the Register of Voters now in force is omitted by you from the Alphabetical List to be made by you according to the preceding direction,

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direction, you are, within Twenty-eight Days after the said Ten Days, to send to the Person whose Name is so omitted a Notice according to the Form numbered (13.), sent herewith; and such Notice must be signed by you, or one of you, and in it must be stated shortly the reason or reasons for such omission. If the Place of Abode of the Person omitted as described in the Register be not within your Parish [*or*, Township], it may be sent by the post on or before the expiration of the said Twenty-eight Days, directed to him at that Place of Abode; but it must be sent free of postage, or the postage thereof must be paid.

Fourthly.—You are to keep copies of such Lists to be perused by any person, without payment of any fee, at all reasonable hours, during the first Fourteen Days after the said Ten Days; and you are to deliver copies thereof to any person applying for the same, on payment of a reasonable price for each copy, such price not exceeding Three-halfpence for every Ninety Words.

Fifthly.—Immediately after the Twenty-eight Days next following the said Ten Days, you are to make out two Lists; one, a List according to the Form numbered (3.), containing the name of every person who shall have given or have caused to be given to you, or any one of you, on or before that day, his claim to have his Name inserted in the List of your Parish [*or*, Township]; and also another List, according to the Form numbered (14.), containing the Name of every Person against whom a notice of objection shall have been given to you, or any one of you, on or before that day, as not being entitled to have his Name inserted in any List for your City [*or*, Borough]; and you are to cause one copy of each of such Lists to be fixed (in the same places as the other List), on the Two Sundays next after the said Twenty-eight Days.

Sixthly.—You are to keep Copies of these Lists, and you are to allow the same, and also the Notices of Objection, to be perused by any Person, without payment of any fee, at all reasonable hours, during Fourteen Days next after the said Twenty-eight Days, and you are to deliver a copy of each of such Lists to any Person requiring the same, on the payment of a reasonable price, such price not exceeding Three-halfpence for every Ninety Words.

Seventhly.—Within Four Days after the said Twenty-eight Days, you are to deliver to me a Copy of the List of Voters, a Copy of the List of Persons who shall have claimed, and a Copy of the List of Persons objected to, so respectively made out by you as aforesaid, and Copies of the Notices of Objection, and Copies of the Notices of Claim given to you, and Copies of the Notices of Omission given by you.

Eighthly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [*or*, Borough], and at the opening of such Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists made out by you, and signed by you, and the original Notices of Objection, and the original Notices of Claim given to you, and Copies of the Notices of Omission given by you.

If you omit any of these matters, you will be subject to certain penalties. Given under my hand this day of One thousand eight hundred

(signed) *A. B.*
Returning Officer for the said Borough.

No. 2.

City [*or*, Borough] of in the County of (To wit.) } WE hereby give Notice, That no Person will be entitled to have his Name inserted in any List of Voters for this City [*or*, Borough], now about to be made in respect of the occupation of Premises of the clear yearly value of Ten Pounds, whether situate wholly or in part within this Parish [*or*, Township], unless he shall pay, on or before [*here must be inserted the date of the day which is One calendar Month after the date of the Notice*] all the Poor's Rates and Assessed Taxes which have become due from him in respect of such Premises, during the year ending [*here must be inserted the date of the day which is Two calendar Months and one day before the date of the Notice*]; and all Persons who omit to make such payment will be incapable of being upon the next Register of Voters for this City or Borough. Dated this day of One thousand eight hundred

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the Parish [*or*, Township] of

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No. 3.

THE LIST of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of in respect of Property occupied within the Parish [*or*, Township] of by virtue of an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in *England* and *Wales*."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish, where the Property is situate.

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of the said Parish [*or*, Township] of

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No. 4.

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No. 4.

THE LIST of all PERSONS (not being Freemen), entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of in respect of any rights other than those conferred by an Act passed in the second Year of the Reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in *England* and *Wales*."

Christian Name and Surname of each Voter at full length.	Nature of Qualification.	Street, Lane or other Place in this Parish where the Property is situate. [*If the Right of Voting does not depend on Property, then state the Place of Abode.*]

(signed) *A. B.*
C. D.
E. F.
} Overseers of the Parish of [*or*, Township] within the said City [*or*, Borough] of

No. 5.

NOTICE of CLAIM.

TO the Overseers of the Parish [*or*, Township] of

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of and that my Qualification consists of a House in Duke-street in your Parish [*or otherwise, as the case may be.*] Dated the day of One thousand eight hundred and Thirty-

(signed) *John Allen*, of [*Place of Abode.*]

No. 6.

LIST of CLAIMANTS, to be published by the OVERSEERS.

THE following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of

Christian Name and Surname of each Claimant at full length.	Nature of Qualification.	Street, Lane, or other Place in this Parish, where the Property is situate. [*If the Right does not depend on Property, state the Place of Abode.*]

(signed) *A. B.*, *C. D.*, *E. F.* } Overseers of, &c.

No. 7.

PRECEPT of RETURNING OFFICER to the TOWN CLERK.

City [*or*, Borough] of in the County of (To wit.) } TO the Town Clerk of the City [*or*, Borough] of in the County of

YOU are hereby required to do as follows:—First, On or before the [*here must be inserted the date of the Seventh Day from the date of the Precept*], you are to cause to be fixed, on or near the outer door of the Town-hall, or if there be no Town-hall, then to be fixed in some public and conspicuous place within your City or Borough, a Notice, (printed Forms of which are sent herewith,) and such Notice must bear date the same day on which it is fixed up by you.

Secondly.—Within Ten Days next after a calendar Month from the date of such Notice, you are to make out, or cause to be made out, an alphabetical List, containing the names of all Persons who shall be upon the Register for your City or Borough as Freemen; and also the names of all Persons who shall have claimed to be inserted in the List as such Freemen according to the said Notice: and in making out such List, the christian name and surname of every Person is to be written at full length, together with the place of his Abode, as set forth in the Register or Claim respectively; and if you have reasonable cause to believe that any person who is upon the Register, or any person so claiming, is not entitled to have his name upon the Register as a Freeman, you are to add the word "objected" against the name of every such person on the margin of the List; and you are also to add the word "dead" against the name of every person, in the margin of such List, whom you have reasonable cause to believe to

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be dead; and you are to sign such List; and to every person so objected to by you, you are, within Twenty-eight Days from the said Ten Days, to give a Notice according to the printed Form sent herewith; stating shortly the ground of your objection, and such Notice must be signed by you, and must be either given to the party objected to, or left at his usual place of abode; and you must keep a copy of such Notice.

Thirdly.—You are to cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within your city or borough, on the Two Sundays next after the said Ten Days; and you are to keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the first Fourteen Days after the said Ten Days; and you are to cause to be written or printed copies thereof, and to deliver a copy to all persons applying for the same, on payment of a reasonable price for each copy, not exceeding Three Half-pence for every Ninety Words.

Fourthly.—Immediately after the said Twenty-eight Days, you are to make out a List, according to the printed Form sent herewith, including the name of every person against whom a notice of objection shall have been given to you on or before that day, and you are to cause a Copy of such List to be fixed in the same place as the other List on the Two Sundays next after the said Twenty-eight Days; and you are to keep Copies of such List, and are to allow the same, and also the notices of objection, to be perused by any Person without payment of any fee, at all reasonable hours during the Fourteen Days next after the said Twenty-eight Days, and you are to deliver copies of such List, to any person requiring the same, on payment of a reasonable price, not exceeding Three Half-pence for every Ninety Words.

Fifthly.—Within Four Days after the said Twenty-eight Days, you are to deliver to me a Copy of the List of Persons entitled to vote as Freemen, and claiming to be inserted in the List of Freemen, and a copy of the List of Persons objected to as Freemen so respectively made out by you as aforesaid, and Copies of the Notices of objection, and Copies of the Notices of claim given to you, and copies of the Notices of objection delivered by you.

Sixthly.—You are to attend the Court to be holden for the revision of the Lists of Voters for your City [*or*, Borough]; and at the opening of the said Court you are to deliver to the Barrister before whom the same shall be holden, the several Lists so made out and signed by you as aforesaid; and the original Notices of objection, and the original Notices of claim given to you, and Copies of the Notices of objection given by you.

Given under my hand the day of
One thousand eight hundred and

A. B. Returning Officer.

No. 8.

City [*or*, Borough] of in the County of (To wit.) } NOTICE is hereby given, That all persons entitled to vote as Freemen in the Election of a Member or Members to serve in Parliament for this City [*or*, Borough], who are not upon the Register of Voters now in force, or who being upon such Register do not continue in the same place of abode as described in such Register, are to deliver or transmit to the Town Clerk of the said City [*or*, Borough] within One calendar Month from the date hereof, a Notice by them signed, of their claim as such Freemen, according to the Form hereunder set forth. Dated this day of

A. B., Town Clerk of

No. 9.

To the TOWN CLERK of the City [*or*, Borough] of

I HEREBY give you Notice, That I claim to have my name inserted in the List made by you of Persons entitled as Freemen to vote in the Election of a Member [*or*, Members] to serve in Parliament for the City [*or*, Borough] of and that my qualification is as Freeman of and that I reside in street in this City [*or*, Borough.] Dated this day of One thousand eight hundred and

(signed) *John Allen.*

No. 10.

LIST of FREEMEN and CLAIMANTS to be published by the TOWN CLERK.

THE List of Freemen of the City [*or*, Borough] of [*or*, of being a Place sharing in the Election with the City or Borough of] entitled to vote in the Election of a Member [*or*, Members] for the said City or Borough.

Christian Name and Surname of each Freeman at full length.	Place of his Abode.

THE

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THE following Persons claim to have their Names inserted in the List of the Freemen of the City [*or*, Borough] of [*or*, of being a place sharing in the Election with the City [*or*, Borough] of , entitled to vote in the Election of a Member [*or*, Members] for the said City [*or*, Borough].

Christian Name and Surname of each Person at full length.	Place of his Abode.

No. 11.

NOTICE of OBJECTION.

To the Overseers of the Parish [*or*, Township] of [*or*, To the Town Clerk of the City, *or*, Borough of *as the case may be.*]

I HEREBY give you Notice, That I object to the Name of *Thomas Bates* being retained in the List of Persons entitled to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of on the following ground: [*here must be stated shortly the ground of objection, as that the Party has not been rated long enough, or is not an Occupier of sufficient value, or that he is personally disqualified as being a minor or an officer of revenue, &c.*]

Dated this day of

(signed) *A. B.* of [*Place of Abode.*]

No. 12.

FORM of NOTICE of OBJECTION to be given to PARTIES.

To Mr. *Thomas Bates.*

I HEREBY give you Notice, That I object to your Name being retained on the List of Persons entitled to vote in the Election of Members [*or*, a Member] for the City [*or*, Borough] of on the following ground [*here state shortly the ground of objection.*]

Dated this day of

(signed) *A. B.* [*Place of Abode.*]
or, *C. D.* Town Clerk of .

No. 13.

FORM of NOTICE of OMISSION to be given to PARTIES.

To Mr. *Thomas Bates.*

I HEREBY give you Notice, That your Name has been omitted from the List of Persons entitled to vote in the Election of Members [*or*, a Member] of Parliament for the City [*or*, Borough] of for the following reason [*or*, reasons; *here state shortly the reasons for omission, as non-payment of rates or taxes, ceasing to occupy, &c.*]

Dated this day of

(signed) *A. B.* one of the Overseers of the Parish [*or*, Township] of .

No. 14.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Persons qualified to vote in the Election of a Member [*or*, Members] for the City [*or*, Borough] of

Christian Name and Surname of each Person objected to, at full length.	Nature of the supposed Qualification.	Street, Lane or other Place in the Parish where the Property is situate. [*If the Right does not depend an Property, state the Place of Abode.*]	Grounds of Objection.
William Baker - -	- - Occupier of Premises of the yearly value of Ten Pounds.	12, High-street - - -	- - Has not paid all the rates and taxes due on the day of .

(signed) *A. B.*
C. D. } Overseers of, &c.
E. F.

No. 15.

THE LIST of PERSONS objected to, to be published by the TOWN CLERKS.

THE following Persons have been objected to as having no right to be retained on the List of the Freemen of the City [*or*, Borough] of [*or*, of being a Place sharing in the Election with the City [*or*, Borough] of] entitled to vote in the Election of a Member [*or*, Members] for the said City [*or*, Borough.]

Christian and Surname of each Person objected to, at full length.	Place of his Abode.	Grounds of Objection.
William Baker - - - -	7, High-street - -	- - Has received parochial relief since the day of .
Elijah Smith - - - -	Derby - - -	- - Does not reside within seven miles of the polling-place of this Borough.

(signed) *A. B.* { Town Clerk of the said City [*or*, Borough.]

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Schedule III.

A LIST of such of the FREEMEN of LONDON as are Liverymen of the Company of entitled to vote in the Election of Members for the City of LONDON.

Christian Name and Surname of each Voter at full length.	Street, Lane, or other description of his Place of Abode.
William Baker - - - - - -	11, Cheapside.
James Henry Thornton - - - - -	8, Poultry.

(signed) *A. B.*, Clerk.

No. 1.

NOTICE of CLAIM to be given to the RETURNING OFFICER or OFFICERS of the City of LONDON, and to the CLERKS of the respective Livery Companies.

To the Returning Officer or Officers of the City of *London* [*or*, To the Clerk of the Company of]

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by the Clerk of the Company of [*or, in case of Notice to the Clerk, say*, made by you] of the Liverymen of the said Company [*or, in case of Notice to the Clerk, say*, of the Liverymen of the Company of] entitled to vote in the Election of Members for the City of *London*. Dated the day of

(signed) *A. B.* {[*Place of Abode.* / *Name of Company.*]

No. 2.

LIST of CLAIMANTS, to be published by the RETURNING OFFICER or OFFICERS of the City of LONDON.

The following Persons claim to have their Names inserted in the List of Persons entitled to vote as Freemen of the City of *London*, and Liverymen of the several Companies herein specified, in the Election of Members for the City of *London*.

Christian Name and Surname of each Claimant at full length.	Place of Abode.	Name of the Company.
William Smith - - - - - -	2, Cheapside -	Draper's Company.

Dated the day of

(signed) *A. B.* } Sheriffs of the City
C. D. } of *London*.

No. 3.

NOTICE of OBJECTION to PARTIES inserted in the LIST of the LIVERY.

To Mr. *William Baker.*

I HEREBY give you Notice, That I object to your Name being retained in the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City [*here state shortly the ground or grounds of objection, as that he is non-resident, or has received parochial relief within Twelve Months*, &c.] Dated the day of

(signed) *A. B.* [*Place of Abode.*]

No. 4.

NOTICE of OBJECTION to be given to the RETURNING OFFICER or OFFICERS of the City of LONDON.

To the Returning Officer or Officers of the City of *London.*

I HEREBY give you Notice, That I object to the Name of *William Baker* being retained in the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City, on the following ground [*here must be stated shortly the ground of objection, as that he is personally disqualified, &c.*]

Dated this day of

(signed) *A. B.* of [*Place of Abode.*]

No. 5.

NOTICE of OMISSION to PARTIES omitted from the LIST of LIVERYMEN.

To Mr. *Thomas Bates.*

I HEREBY give you Notice, That I have omitted your Name from the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City, for the following reason [*or*, reasons] [*here must be stated shortly the reason or reasons of omission.*]

Dated this day of

(signed) *A. B.* { Clerk of the Company of

No. 6.

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No. 6.

NOTICE of OMISSION to be given to the RETURNING OFFICERS of the City of LONDON.

To the Returning Officers of the City of *London.*

I HEREBY give you Notice, That I have omitted the Name of *Thomas Bates* from the List of Persons entitled to vote as Freemen of the City of *London* and Liverymen of the Company of in the Election of Members for the said City, for the reasons following [*here must be stated shortly the reasons.*]

Dated the day of

(signed) *A. B.* Clerk of the Company of

No. 7.

THE LIST of PERSONS objected to, to be published by the RETURNING OFFICER or OFFICERS of the City of LONDON.

THE following Persons have been objected to as having no right to be retained on the List of Persons entitled to vote as Freemen of the City of London and Liverymen of the several Companies herein specified in the Election of Members for the said City.

Christian and Surname of each Person objected to, at full length.	Place of his Abode.	Name of the Company.	Grounds of Objection.
William Smith - -	3, Minories -	Goldsmiths' Company.	- - Has received Parochial relief within twelve months of the day of

Dated the day of

(signed) *A. B.* *C. D.* } Sheriffs of the City of *London.*

No. 8.

LIST of omitted PERSONS, to be published by the RETURNING OFFICERS of the City of LONDON.

THE following Persons have been omitted from the Register of Freemen and Liverymen of the several Companies herein specified, as having no right to vote in the Election of Members for the City of *London.*

Christian and Surname of each Person omitted, at full length.	Place of his Abode.	Name of the Company.	Reasons for Omission.
Thomas Bates - -	3, Old Broad-street	- - Goldsmiths' Company.	Officer of Revenue.
John Smith - -	Gravesend - -	Drapers' Company.	- - Not resident within seven miles of the Polling Place of the City.

Dated the day of

(signed) *A. B.* *C. D.* } Sheriffs of the City of *London.*

Schedule IV.

No. 1.

LIST of PERSONS expunged, to be signed by the BARRISTER.

THE following Persons have been expunged by me, from the List of the Parish of as not being entitled, for the reasons hereinunder specified, to have their Names inserted in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of .]

NAME.	PLACE of ABODE.	Nature of supposed Qualification.	Street, Lane or other Place where Property is situate, or Name of Property or Tenant.	Reasons for expunging.

(signed) *A. B.* Revising Barrister for the County of [*or*, Riding, Parts or Division of the County of .]

No. 2.

LIST of PERSONS whose Claims are disallowed, to be signed by the BARRISTER.

THE Claims of the following Persons to have their Names inserted in the List of Voters for the County of [*or*, for the Riding, Parts or Division of the County of] have been disallowed by me for the reasons hereinunder specified.

NAME.	PLACE of ABODE.	Street, Lane or other Place in this Parish (or Township) where the Property is situate, or Name of the Property, or Name of the Tenant.	Reasons for disallowing the Claim.

(signed) *A. B.* Revising Barrister for the County of [*or*, Riding, Parts or Division of the County of .]

No. 3.

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No. 3.

FORM of Revising Barristers' Certificate.

I HEREBY certify, That *A. B.* of has been ordered by me to pay to *C. D.* of the Costs occasioned to the said *C. D.* by objecting to a claim made by the said *A. B.* to have his name inserted in the List of Voters of the Parish [*or*, Township] of for the County [*or*, for the Riding, Part or Division of the County] of now under revision by me [*or*, last revised by me]; and I further certify, that the said Costs have been taxed by me at the sum of which sum I order the said *A. B.* to pay to the said *C. D.*

Dated this day of

(signed) *E. F.* Revising Barrister.

Name of the Place, [*or*, of the City, *or*, Borough] at which the Order is made.

No. 4.

FORM of Justice's Warrant of Distress.

County of [*or*, City, *or*, Borough of .] } TO the Churchwardens and Overseers of the Poor of the Parish [*or*, Township] of in the said County [*or*, in the said City, Borough *or* Town.]

WHEREAS, by a Certificate [*or*, an Order] of *E. F.* one of the Revising Barristers of *England* and *Wales*, bearing date the day of *A. B.* of [*or*, *A. B.* now residing in the said Parish [*or*, Township] has been ordered to pay to *C. D.* the sum of by way of Costs [*or*, by way of Fine], as by the said Certificate [*or*, Order] appears: And whereas it duly appears to me, one of His Majesty's Justices of the Peace in and for the said County [*or*, the said City, *or*, Borough], that a Copy of the said Certificate [*or*, Order] has been served upon the said *A. B.*, and that the said sum of has been duly demanded of the said *A. B.*, and that the said *A. B.* has refused [*or*, has neglected] to pay the same: THESE are therefore to require you forthwith to make distress of the goods and chattels of the said *A. B.*; and if, within the space of next after such distress by you taken, the said sum, together with reasonable charges of taking and keeping the said distress, shall not be paid, that then you do sell the said goods and chattels by you distrained, and out of the money arising by such sale, that you detain your reasonable charges of taking, keeping and selling the said distress, and pay the said sum of to the said *C. D.*, tendering to the said *A. B.* the Overplus on demand. Given under my hand and seal, this day of, in the year

G. H. (L. S.)

Registration of Voters.

A

B I L L

[AS AMENDED ON THIRD RE-COMMITMENT]

FOR

The more effectual Registration of Persons entitled to Vote in the Election of Members to serve in Parliament in *England* and *Wales*.

(*Prepared and brought in by*
Mr. Attorney General and Mr. Solicitor General.)

Ordered, by The House of Commons, *to be Printed,*
29 *June* 1836.

A

B I L L

For the Registration of Electors in England and Wales.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS an Act was passed in the second year of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People in England and Wales:" Preamble 2 Will. 4. c. 45.

And whereas the said Act contains divers provisions for the formation of Registers of Electors for Counties, Ridings, Parts and Divisions of Counties, and also for the formation of Registers of Electors for Cities and Boroughs:

And whereas it is expedient and necessary that some of the said provisions should be amended, and that further provisions should be made for the more effectual Registration of Persons entitled to vote at the Election of Members to serve in Parliament for England and Wales; and it is expedient for the better understanding of the Law touching such Registration that all provisions for the formation of such Registers should be consolidated into this Act;

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT all provisions in the said recited Act contained, touching and concerning the formation of the Register of Voters for any County, Riding, Parts or Division of a County, or for any City or Borough in England and Wales, and touching and concerning the defraying of the Expenses to be incurred in carrying such provisions into effect, shall be and the same are hereby Repealed, except as to any such Register heretofore made, and except as to any matter or thing touching and concerning the same. 1. Certain Provisions of 2 Will. 4. c. 45, repealed.

2. This Act to be deemed part of the recited Act.

And be it Enacted, That this Act, when passed, shall be deemed and taken to be part of the said recited Act, as fully and effectually as if the same were incorporated therewith.

Counties.

3. Clerk of the Peace to have Forms of Warrants, &c. printed.

And be it Enacted, That the Clerk of the Peace for every county, riding, parts or division of a county, shall cause a number of Warrants, Notices and Forms of Lists to be printed, according to the respective Forms set forth in the Schedule to this Act annexed, at the expense of the respective county, riding, parts or division; and shall also, within the *First* Week of *June* in every year, issue and cause to be delivered his Warrant, according to the Form numbered (1.) in the Schedule to this Act annexed, to the Overseers of every parish and township within such county, riding, parts or division, together with a sufficient number of the said printed Notices and Forms of Lists, and also a sufficient number of Copies of such parts of the Register of Voters then in force as shall relate to each parish or township.

4. Clerks of the Peace to send Warrants and other Papers, postage free.

And be it Enacted, That the said Warrant and other Papers may be sent by the Clerk of the Peace, if he shall so think fit, by the Post, in covers open at the ends, with the words, "Clerk of the Peace's Office, Voters' Registration," printed thereon, and shall be delivered free of postage.

5. Overseers to give Notice annually, requiring Voters to send in their Claims.

And be it further Enacted, That the Overseers of the Poor of every parish and township shall, on or before the *Twentieth* day of *June* in every year, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel, then in some public and conspciuous situation within the same, a Notice, according to the Form numbered (2.) in the Schedule to this Act annexed, having first signed the same, requiring all Persons entitled to vote at the Election of a Knight of the Shire to serve in Parliament, in respect of any property situated wholly or in part within such parish or township, who shall not be upon the Register of Voters then in force; and also requiring all persons so entitled as aforesaid, who being upon such Register shall not retain the same qualification or continue in the same place of abode as described in such Register, to deliver or transmit to the said Overseers, on or before the *Twentieth* day of *July* then next ensuing, a Notice of their claim, to be inserted in the List of Claimants to vote according to the Form numbered (3.) in the Schedule to this Act annexed, or to the like effect.

6. Overseers to prepare Lists of Claimants.

And be it further Enacted, That the Overseers of the Poor of every parish and township, shall, on or before the *last* day of *July* in every year, make out or cause to be made out, according to the Form numbered (4.) in the Schedule to this Act annexed, an Alphabetical List of all Persons who on or before the *Twentieth* day of *July* then next preceding

Counties.

preceding shall have claimed as aforesaid to be inserted in the List of Claimants to vote for the county or for the riding, parts or division of the county wherein such parish or township lies, in respect of any property situate wholly or in part within that parish or township; and in every List so to be made as aforesaid, the Christian name and Surname of every Claimant shall be written at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the property, and the Name of the occupying Tenant thereof, as the same are respectively stated in his claim to vote.

7.

Overseers to have power of objecting to any Name either on such Lists or on the part of the Register of Voters for the time being relating to their Parish.

To have power to add the word "Dead" against any Name in such Lists or part of Register.

Overseers to fix Copies of such Lists and of the part of the Register of Voters relating to their own Parish on Churches and Chapels;

To keep Copies of Lists for Inspection.

And be it further Enacted, That if the said Overseers shall have reasonable cause to believe that any person so claiming to be inserted in the List of Claimants to vote, or that any person being upon the Register of Voters then in force for their parish or township, is not entitled to vote at the election of a Knight of the Shire, that the said Overseers shall have power to add the word "Objected" opposite the name of every such Person on the margin of such List of Claimants, or on the margin of such Register; and the said Overseers shall also have power to add the word "Dead" opposite the name of any person in the said Register, whom they shall have reasonable cause to believe to be dead; and the said Overseers having made, as aforesaid, the said List of Claimants, shall sign the same, and shall cause a sufficient number of copies of such List to be written or printed; and shall cause to be fixed one copy of such List, and also one copy of such part of the said Register as relates to their respective parishes, on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no church or chapel, then in some public and conspicuous situation within the same, on the *Two* Sundays next after such Lists shall have been made; and the said Overseers shall likewise keep a copy of such List, and a copy of such part of the said Register, to be perused by any person without payment of any fee, at all reasonable hours, during the first *First Two* Weeks of *August* after such List shall have been made, and shall cause to be written or printed copies of the said Lists of Claimants, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each copy.

8.

Provision as to Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, which shall have no Overseers of the Poor, shall for the purpose of making such Claims, and making out such List as aforesaid, be deemed to be within the parish or township adjoining thereto, such parish or township being situate within the same county, or the same riding, parts or division of a county, as such precinct or place; and if such parish or place shall adjoin two or more parishes or townships so situate as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being; and the Overseers of the Poor of every such parish or township shall insert in the List for their respective parish or

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township, the Names of all Persons who shall claim as aforesaid to be inserted therein as Claimants to vote in the election of a Knight or Knights of the Shire for the county, or for the riding, parts or division of the county in which such precinct or place as aforesaid lies, in respect of any lands or tenements situate wholly or in part within such precinct or place.

9. Unnecessary for Claimants to vote to tender Money to Overseers.

And be it Enacted, That it shall not be necessary for any Claimant to vote, at the time of making his claim to vote, to tender any sum of money to the Overseer; any law or statute to the contrary notwithstanding.

10. The List of Claimants in any Parish, and the part of the Register relating to that Parish, to be deemed the List of Voters of such Parish.

And be it Enacted, That the List of Claimants (if any) so to be made out by the Overseers of every parish or township as aforesaid, and the part of the Register for the time being relating to that parish or township, shall be deemed to be the List of Voters of such parish or township for the county, riding, parts or division of a county within which such parish or township may be situate; and every Person whose name is upon the part of the said Register relating to such parish or township shall be deemed to have had his name inserted in the List of Voters of such parish or township by the said Overseers thereof.

11. Any person on the Register for the time being may object to any other Person named in the List of Voters as not entitled to vote.

Notice of Objection to be given to the Overseers.

And be it further Enacted, That every Person who shall be upon the Register for the time being for any county, or for any riding, parts or division of a county, may object to any Person whose name shall appear upon the List of Voters as not having been entitled, on the *last* day of *July* then next preceding, to have his name inserted in the List of Voters for the parish or township to which such List of Voters as shall contain his name may relate; and every Person so objecting, save and except Overseers objecting, in the manner herein before mentioned, shall, on or before the *Twenty-fifth* day of *August* in every year, give or cause to be given to the Overseers of the Poor of the parish or township to which the List of Voters containing the name of the Person so objected to may relate, a Notice in writing, according to the Form numbered (5.) in the Schedule to this Act annexed, or to the like effect; and the Person so objecting, and the said Overseers, in case of their objecting as aforesaid, shall, on or before the *Twenty-fifth* day of *August* in every year, give to the Person so objected to a Notice in writing, according to the Form numbered (6.) in the Schedule to this Act annexed, or to the like effect, either by delivering the same to him personally or by leaving the same at his place of abode as described in such List of Voters, or by delivering the same to the occupying Tenant of the qualifying premises described in such List of Voters: Provided always, That in every such Notice of Objection the ground or grounds of objection shall be stated, and that wherever the place of abode of the Person objected to as described in the List of Voters shall not be in the parish or township to which such List or part of the said Register

Notice of Objection in all cases to be given to the Party.

Grounds of Objection to be stated in the Notice.

Register may relate, it shall be sufficient, if the Notice so required to be given to him as aforesaid shall, on or before the said *Twenty-fifth* day of *August*, be sent by the Post, free of postage, or the sum chargeable as postage for the same being first paid, directed to him at his place of abode, as described in such List or part of the said Register.

Notice in certain cases may be sent by the Post.

12.
Lists of Objectees to be published.

And be it Enacted, That the said Overseers shall include the names of all Persons objected to by themselves or by other Persons in a List according to the Form numbered (7.) in the said Schedule to this Act annexed, and shall cause copies of such List to be fixed, between the hours of *Nine* in the Morning and *Nine* in the Evening, on or near the outer doors of all Churches and Chapels within their parish or township, or if there be no church or chapel, in some public and conspicuous situation within the same, on the *Two* Sundays next preceding the *Fifteenth* day of *September* in every year; and the said Overseers shall also keep a copy of such List of Objectees, to be perused by any Person without payment of any fee, at all reasonable hours during the *Ten* Days next preceding the said *Fifteenth* day of *September* in every year; and shall deliver a copy of such List to any Person requiring the same on payment of *One Shilling* for each copy.

13.
Lists, &c. to be forwarded to the Clerk of the Peace.

And be it Enacted, That on the *Twenty-ninth* day of *August* in every year, the Overseers of every parish or township shall deliver or cause to be delivered to the Clerk of the Peace a copy of the List of Voters and a copy of the List of Objectees, and also the original Notices of Objection and the original Notices of Claim so given to them as aforesaid; and such Clerk of the Peace shall thereupon make out an Abstract of the Number of Persons objected to by the Overseers and by other Persons in each parish and township, and of the grounds of objection stated in the respective Notices.

14.
Lord Chief Justice and Judges of Assize to appoint Barristers for revising the Lists of Voters.

And be it further Enacted, That the Lord Chief Justice of the Court of King's Bench for the time being, shall in the Month of *July* or *August* in every year nominate and appoint for Middlesex, and the Senior Judge for the time being in the Commission of Assize for every other county, shall during the Summer Circuit in every year nominate and appoint a Barrister or Barristers, each such Barrister being of not less than *Three* Years' standing, to revise the List of Voters for the election of a Knight of the Shire for every such county, or for the riding, parts or divisions of such county; and every such Barrister shall immediately on his appointment notify the same to the Clerk of the Peace, who shall thereupon transmit the said copies of Lists of Claimants and of Persons objected to, and of parts of the said Register, and also the said Abstract so made out by him as aforesaid, to such Barrister or Barristers, in order that proper times and places may be

fixed for the holding of the Courts for the revision of the said Lists as hereinafter provided.

15. Barristers to hold Courts for revising Lists of Voters within a certain period;

And be it further Enacted, That such Barrister or Barristers shall make a circuit of the county, riding, parts or division for which he or they shall be appointed, and shall hold open Courts therein for the revision of the said Lists at convenient times and places, between the *Fifteenth* day of *September* inclusive and the *Twenty-fifth* day of *November* inclusive in every year, and shall also days at least before the holding of the first Court of Revision, give Notice to the Clerk of the Peace of the several times and places at which the said Courts shall be holden; and the said Clerk of the Peace shall thereupon cause notice thereof to be given by advertisement in some of the Newspapers circulating within the said county, riding, parts or division, and shall also cause a sufficient number of Notices of the days of holding such Courts of Revision to be printed, and shall transmit them to the respective Overseers, and shall also require such Overseers to attend the said Courts; and the said Overseers shall cause such printed Notices so transmitted to be publicly affixed in the places where the Lists of Claimants were by them previously affixed.

to give notice of the times and places of holding such Courts to Clerk of the Peace.

Clerk of the Peace to give notice thereof by Advertisement to the Overseers.

16. Clerk of the Peace to attend the first Court, and Overseers to attend the Courts for their respective Districts and Parishes.

And be it Enacted, That the Clerk of the Peace at the opening of the first Court of Revision to be so holden as aforesaid, shall deliver or cause to be delivered to the said Barrister or Barristers the several Notices of Objection and Notices of Claim which shall have been delivered to such Clerk of the Peace by the respective Overseers; and the Overseers shall attend the Court to be held for revising the Lists relating to their parish or township, and shall deliver to the Barrister holding such Court the List of Claimants and the List of Persons objected to, so made out by them as aforesaid; and the said Overseers shall answer upon oath all such questions as such Barrister may put touching any matter necessary for such revision of the Lists of Voters.

17. Barristers may hold separate Courts.

And be it Enacted, That where *Two* or more Barristers shall be appointed for the same county, riding, parts or division of a county, they shall attend at the same places together, but may sit apart and hold separate Courts at the same time for the despatch of business.

18. Powers of Barrister as to expunging Names from Lists.

And be it Enacted, That every such Barrister shall expunge from the List of Voters of any Parish or Township the name of every Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such person was entitled, on the *last* day of *July* then next preceding, to be inserted in such List in respect of his qualification as stated in such List; or in case it shall be proved that such Person was incapacitated by any law or statute from voting in the election

of

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of Members to serve in Parliament; and shall also expunge the Name of every Person whose qualification as stated in the said List, shall appear upon the face thereof to be necessarily insufficient to entitle the said Person to be inserted in such List, and also the Name of every Person who shall be proved to him to be dead; and the said Barrister shall correct any mistake which shall be proved to him to have been made in the said List as to any of the particulars required by this Act to be inserted therein; and wherever the Christian Name of any Person, or his place of abode, or the nature of his qualification, or the local or other description of his property, or the Name of the occupying Tenant thereof, be wholly omitted from the said List, such Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted shall be supplied to the satisfaction of such Barrister before he shall have completed the revision thereof, in which case he shall then and there insert the same accordingly: Provided always, That no Person's Name shall be expunged as aforesaid except in case of the statement of an insufficient qualification, or of his death, or of any such omission as hereinbefore mentioned, unless the Overseers or other party who shall have objected to such Person shall appear before the said Barrister, by themselves or himself, or by some one on their or his behalf, in support of such objection, nor unless the said Barrister shall be satisfied that the respective Notices of Objection shall have been duly given: Provided also, That the said Barrister shall not inquire into or allow any objection to be inquired into, the ground whereof shall not have been stated in the said respective Notices.

Power to rectify mistakes and supply omissions.

Mode of proceeding in cases of objected Votes.

19. Barrister to have power to insert in Lists the Names of Claimants omitted by the Overseers on proof of due claim and qualification.

And be it Enacted, That if it shall happen that any Person who shall have given to the Overseers of any parish or township due notice of his claim to have his Name inserted in the List of Persons entitled to vote in the election of a Knight or Knights of the Shire, shall have been omitted by such Overseers from such List, it shall be lawful for the Barrister, upon the revision of such List, to insert therein the name of the Person so omitted, in case it shall be proved to the satisfaction of such Barrister that such Person gave due notice of his claim to the said Overseers, and that he was entitled on the *last* day of *July* then next preceding to be inserted in the List of Persons entitled to vote in the election of a Knight or Knights of the Shire for the county, or for the riding, parts or division of the county wherein the parish or township of such Overseers may be situate, in respect of the qualification described in such Notice of Claim.

20. Voters residing out of the Polling District to which the Parish wherein their qualification is situate belongs, may

AND whereas it is enacted by the said recited Act, that at every contested Election for any county, riding, parts or division of a county, no Person should be admitted to vote in respect of any property situate in any parish or township, except at the Booth allotted for such parish or

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vote in another Polling District, on making a claim before the Revising Barrister.

or township; and if no Booth should be allotted for the same, then at any of the Booths for the same district: And whereas it is expedient that certain Voters should be admitted to vote elsewhere than at the Polling Place of the district wherein their qualification may be situated; BE it therefore Enacted, That whenever the place of abode of any Voter, as stated in the List of Voters of any parish or township, shall not be within the Polling District of such parish or township, every such Voter whose said place of abode shall be within such county, shall, if duly registered in that behalf, be admitted to vote at the Polling Place of the district wherein his said place of abode may be situate; and every such Voter whose said place of abode shall not be within such county shall, if duly registered in that behalf, be admitted to vote at the Polling Place of any other district, to be by him selected; any thing in the said recited Act to the contrary notwithstanding: Provided always, That in order to be so registered, every Voter who may be desirous of being allowed to vote at some other Polling Place than the Polling Place of the district wherein his qualification may be situated, shall make his claim to be allowed to vote at such other Polling Place before the Barrister holding his Court for the revision of the List wherein the name of such Voter shall appear; and thereupon the said Barrister shall insert in the said List the Name of such Polling Place against the Name of such Claimant: Provided also, That if such Voter shall not personally appear before the said Barrister, such claim shall be made in writing under the hand of the said Voter, and shall be then and there verified on oath: Provided also, That every such Voter against whose Name in the Register for the time being the Name of any Polling Place shall be stated, shall not be admitted to vote elsewhere than at such last-mentioned Polling Place.

Cities and Boroughs.

21. Returning Officer to have Forms of Precepts, &c. printed.

To issue his Warrant to the Overseers and to the Town Clerk.

And be it Enacted, That the Returning Officer of every city or borough entitled to return a Member or Members to serve in Parliament shall cause a sufficient number of Warrants, Notices and Forms of Lists to be printed, according to the Forms in the Schedule to this Act annexed, at the expense of such city or borough, and shall within the *First* Week in *June* in every year, issue and cause to be delivered to the Overseers of the Poor of every parish or township situated wholly or in part within such city or borough, or within any place sharing in the election for such city or borough, his Warrant according to the Form numbered (9.) in the Schedule to this Act annexed; and shall also within the said *First* Week in *June*, make and cause to be delivered to the Town Clerk of such city or borough, and to the Town Clerk of every place sharing in the Election for such city or borough his Warrant according to the Form numbered (10.) in the said Schedule; and the said Returning Officer shall also cause to be delivered to the said Overseers and Town Clerks, with every such Precept, a sufficient number of the said printed Forms of Notices and Lists.

And

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22. Overseers to give public Notice as to the payment of Rates and Taxes by Occupiers of Premises of the yearly value of 10 *l.*

And be it Enacted, That the Overseers of every parish or township shall, on or before the *Twentieth* day of *June* in each year, cause to be fixed on or near the outer doors of all the Churches and Chapels within such parish or township, or if there be no church or chapel, then in some public and conspicuous situation within the same, a Notice according to the Form numbered (11.) in the Schedule to this Act annexed (having first signed the same), stating that no Person will be entitled to have his Name inserted in any List of Voters for the city or borough then next to be made, in respect of the occupation of premises of the clear yearly value of not less than *Ten Pounds*, situate wholly or in part within such parish or township, unless he shall pay, on or before the *Twentieth* day of *July* then next ensuing, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such premises during the *Nine* calendar Months next before the *Sixth* day of *April* then last past; and that all Persons omitting to make such payment will be incapable of being upon the Register of Voters for the said city or borough then next to be made.

23. Overseers to prepare Lists of Persons (other than Freemen) entitled to vote.

And be it further Enacted, That the Overseers of every such parish or township shall, on or before the *last* day of *July* in every year, make out or cause to be made out according to the Form numbered (12.) in the Schedule to this Act annexed, an Alphabetical List of all Persons who may be entitled to vote in the election of a Member to serve in Parliament for such city or borough, in respect of the occupation of premises of the clear yearly value of not less than *Ten Pounds*, situated wholly or in part within such parish or township, and another Alphabetical List, according to the Form numbered (13.) in the said Schedule, of all other Persons (except Freemen) who may be entitled to vote in the election for such city or borough by virtue of any other right whatsoever; and in each of the said Lists the Christian Name and Surname of every such Person shall be written at full length, together with the nature of his qualification; and where any Person shall be entitled to vote in respect of any property, then the Name of the Street, Lane or other description of the place where such property may be situate, shall be specified in the List; and where any Person shall be entitled to vote otherwise than in respect of any property, then the Name of the Street, Lane or other description of the Place of Abode of such Person shall be specified in the List; and they the said Overseers shall also forthwith, after the making of such Lists, sign the same, and cause a sufficient number of copies of such Lists to be fixed on or near the outer doors of all the Churches and Chapels in their several parishes and townships, or if there be no church or chapel, in some public and conspicuous situation within the same, on the *Two* Sundays next after such Lists shall have been made out; and the said Overseers shall likewise keep Copies of such Lists to be perused by any Person without payment of any Fee, at all reasonable hours during

Copies of Lists to be fixed on Churches and Chapels.

Copies of Lists to be kept for inspection and for sale.

during the first *Three* Weeks after such Lists shall have been made, and shall cause to be written or printed Copies thereof, to be by them delivered to all Persons applying for the same, on payment of a reasonable price for each Copy.

24. Provision for Places having no Overseers.

And be it Enacted, That every precinct or place, whether extra-parochial or otherwise, having no Overseers of the Poor, and being within any city or borough, or within any place sharing in the election for any city or borough, shall, for the purpose of making out the Lists of Voters for such city or borough, be deemed to be within the parish or township adjoining thereto, and situated wholly or in part within such city or borough, or within such place sharing in the election therewith; and if such precinct or place shall adjoin two or more parishes or townships so situated as aforesaid, it shall be deemed to be within the least populous of such parishes or townships according to the last Census for the time being; and the Overseers of every such parish or township shall insert in the List for their respective parish or township the Names of all Persons who may be entitled to vote in the election of a Member or Members to serve in any future Parliament for any such city or borough, in respect of any property occupied by such Persons within such city or borough, or within any place sharing in the election therewith; such property being situated wholly or in part within such precinct or place as aforesaid.

25. Overseers to have power of inspecting Tax Assessments.

And be it Enacted, That the Overseers of every parish or township, for their assistance in making out the Lists in pursuance of this Act (upon request made by them or any of them at any reasonable time between the *First* day of *June* and the *last* day of *July* in every year to any Assessor or Collector of Taxes, or to any other officer having the custody of any duplicate or Tax Assessment for such parish or township), shall have free liberty to inspect any such duplicate or Tax Assessment, and to extract therefrom such particulars as may appear to such Overseer or Overseers to be necessary; and every such Assessor or Collector of Taxes shall, within *Two* Days after the said *Twentieth* day of *July*, make out and deliver to the said Overseers a statement in writing of every Person who shall not have paid on or before the said *Twentieth* day of *July* the Assessed Taxes which shall have become payable from him in respect of any premises within the said parish or township during the *Nine* calendar Months next before the *Sixth* day of *April* then last past.

26. Persons omitted from the Overseers' Lists to give notice of their Claims.

And be it Enacted, That every Person whose Name shall have been omitted in any such List of Voters for any city or borough so to be made out by the Overseers as aforesaid, and who shall claim to have his Name inserted therein as having been entitled on the *last* day of *July* then next preceding, shall on or before the *Twenty-fifth* day of *August*

August in that year give or cause to be given a notice in writing according to the Form numbered (15.) in the said Schedule, or to the like effect, to the Overseers of that parish or township in the List whereof he shall claim to have his Name inserted; and the Overseers shall include the Names of all Persons so claiming as aforesaid in a List according to the Form numbered (18.) in the said Schedule; and in case the Overseers shall discover that they have by mistake inserted or omitted any Names in the Lists of Voters by them prepared, it shall be lawful for the Overseers to insert such Names in their Lists of Claimants and Objectees, with the words "By the Overseer" in the margin.

List of Claimants to be made.

27. Town Clerk to give a notice requiring Freemen entitled to vote to send in their claims.

And be it Enacted, That the Town Clerk of every such city or borough shall, on the *Twentieth* day of *June* in every year, cause to be fixed on or near the outer door of the Town Hall, or if there be no Town Hall, in some public and conspicuous situation within such city or borough, a Notice according to the Form numbered (20.) in the Schedule, requiring all Persons entitled to vote as Freemen in the election of a Member to serve in Parliament for such city or borough who shall not be upon the Register of Voters for the said city or borough then in force, and all Persons so entitled as Freemen, who being upon such Register, shall not continue in the same place of abode as described in such Register, to deliver or transmit to the said Town Clerk, on or before the *Twentieth* day of *July* in that year, a Notice of their Claim as such Freemen, according to the Form numbered (15.) in the said Schedule; and the Town Clerk of every place sharing in the election of any city or borough shall, on the said *Twentieth* day of *June* in every year, in like manner give a notice according to the Form numbered (20.) in the Schedule; and the Town Clerk of every such city or borough shall, on or before the *last* day of *July* in every year, make out, or cause to be made out, according to the Form numbered (14.) in the said Schedule, an Alphabetical List containing the Names of all Persons who shall be upon the Register for the time being for such city or borough as Freemen; and also the Names of all Persons who shall claim as aforesaid to be inserted in the List as such Freemen; and in every such List so to be made by the said Town Clerk, the Christian Name and Surname of every Person shall be written at full length, together with the place of his abode, as set forth in such Register or Claim to vote respectively; and the Town Clerk of every place sharing in the election for any city or borough shall on the said *last* day of *July* make out or cause to be made out, in the same manner, a like List of all Persons upon the said Register, or claiming as aforesaid as Freemen of such place; and every such Town Clerk, if he shall have reasonable cause to believe that any Person who is upon the said Register for the time being, or any person so claiming as aforesaid, is not entitled to vote in the election for such city or borough as a Freeman, shall have

Town Clerks to prepare Lists of Freemen.

Town Clerks to have power of objecting to any Name in the List, and to add the word "Dead" against any Name

have power to add the word "Objected" opposite the name of every such Person on the margin of the List; and shall also have power to add the word "Dead" opposite to the name of every Person on the margin of such List, whom such Town Clerk shall have reasonable cause to believe to be dead; and every such Town Clerk shall sign such List, and shall cause a copy of every such List to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such respective city, borough or place as aforesaid, on the *Two* Sundays next after such List shall have been made; and shall likewise keep a copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the *Three first* Weeks after such List shall have been made; and shall cause to be written or printed copies thereof, to be by him delivered to all persons applying for the same, on payment of a reasonable price for each copy: Provided always, That where there shall be no Town Clerk for such city, borough or place as aforesaid, or where the Town Clerk shall be dead or incapable of acting, all matters by this Act required to be done by and with regard to the Town Clerk, shall be done by and with regard to the Person executing duties similar to those of the Town Clerk, and if there be no such Person, then by and with regard to the Chief Civil Officer of such city, borough or place.

Lists to be fixed on the Town Hall.

Copies of Lists to be kept for inspection and sale.

28. Persons named in the List may object to other Persons as not being entitled to vote. Notices of Objection to be given to the Overseers, or in case of Persons on the List of Freemen, to the Town Clerk.

And be it Enacted, That every Person whose name shall have been inserted in any List of Voters for any city or borough, may object to any other Person as not having been entitled on the *Twentieth* day of *July* then next preceding to have his name inserted in any List of Voters for the same city or borough; and every Person so objecting shall, on or before the *Twenty-fifth* day of *August* in that year, give or cause to be given a Notice in writing, according to the Form numbered (16.) in the said Schedule, or to the like effect, to the Overseers who shall have made out the List in which the Name of the Person so objected to shall have been inserted; or if the Person objected to shall have been inserted in the List of Freemen, then to the Town Clerk of such city, borough or place: Provided always, That in every such Notice of Objection, the ground or grounds of objection shall be stated.

Grounds of Objection to be stated in Notice.

29. Lists of Objectees to be made. Such Lists of Objectees and of Claimants, to be fixed on Churches and Chapels.

And be it Enacted, That the Overseers shall include the names of all Persons so objected to in a List according to the Form numbered (19.) in the said Schedule; and shall cause copies both of the said List of Persons objected to, and also copies of the said List of Persons claiming as before mentioned, to be fixed on or near the outer doors of all the Churches and Chapels within their parish or township, or if there be no Church or Chapel in some public and conspicuous situation within the same respectively, on the *Two* Sundays next preceding the *Fifteenth* day of *September* in such year; and every Town Clerk shall include the Names of all Persons so objected to as Freemen in a List according

Lists of Persons objected to as Freemen

according to the Form numbered (21.) in the said Schedule, and shall cause copies of such List to be fixed on or near the door of the Town Hall, or if there be no Town Hall, then to be fixed up in some public and conspicuous situation within his respective city, borough or place as aforesaid, on the *Two* Sundays hereinbefore last mentioned in that year; and the Overseers and Town Clerks shall keep Copies of such Lists respectively, and shall allow the said Copies, and also the Notices of Objection so to be given as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the *Ten* Days next preceding the said *Fifteenth* day of *September* in that year, and shall deliver a copy of each of such Lists to any Person requiring the same, on payment of *One Shilling* for each copy.

to be made and fixed on Town Hall.

Copies of Lists and Notices of Objection to be kept for inspection.

30. Overseers and Town Clerks to deliver Copies of Lists to the Returning Officer.

And be it further Enacted, That the said Overseers shall, on the *Twenty-ninth* day of *August* in that year, deliver to the Returning Officer of such city or borough a copy of the List of Voters so made out by them as aforesaid, and a copy of the List of Persons who shall have claimed as aforesaid, and a copy of the List of Persons objected to as aforesaid; and every such Town Clerk shall, on the said *Twenty-ninth* day of *August*, deliver to the said Returning Officer a copy of the List of Persons entitled to vote as Freemen so made out by him as aforesaid, and a copy of the List of Persons so objected to as Freemen as aforesaid.

31. Freemen and Liverymen of the City of London.

And be it Enacted, That for providing a List of such of the Freemen of the City of London as are Liverymen of the several Companies entitled to vote in the election of a Member or Members to serve in any future Parliament for the City of London, the Returning Officer or Officers of the said City shall, on or before the *last* day of *July* in the present and each succeeding year, issue Precepts to the Clerks of the said Livery Companies, requiring them forthwith to make out or cause to be made out, at the expense of the respective Companies, an Alphabetical List according to the Form in the Schedule to this Act annexed, of the Freemen of London being Liverymen of the said respective Companies, and entitled to vote in such Election; and every such Clerk shall sign such List, and transmit the same, with *Two* printed Copies thereof, to such Returning Officer or Officers, who shall forthwith fix One such Copy in the Guildhall, and One in the Royal Exchange of the said City, there to remain *Fourteen* Days in the present and every subsequent year; and the Clerks of the said Livery Companies shall cause a sufficient number of such Lists of Freemen and Liverymen of their respective Companies to be printed at the expense of the respective Companies, and shall keep the same to be perused by any Person, without payment of any fee, at all reasonable hours during the *Two first* Weeks after such Lists shall have been printed; and every Person whose Name shall have been omitted in any such List of Free-

men and Liverymen, and who shall claim to have his Name inserted therein as having been entitled on the *last* day of *July* then next preceding, shall on or before the *Twenty-fifth* day of *August* in the present and in every succeeding year give or cause to be given a Notice in writing, according to the Form numbered ( ) in the said Schedule, or to the like effect, to the Returning Officer or Officers, and to the Clerk of that Company in the List whereof he shall claim to have his Name inserted; and the Returning Officer or Officers shall include the Names of all Persons so claiming as aforesaid in a List, according to the Form numbered ( ) in the said Schedule, and shall cause such last-mentioned List to be fixed in the Guildhall and Royal Exchange of the said City on the *Two* Mondays next preceding the *Fifteenth* day of *September* in the present and in every succeeding year; and the said Returning Officer or Officers and Clerks of the said Companies shall likewise keep a copy of the Names of all the Persons so claiming as aforesaid, to be perused by any Person, without payment of any fee, at all reasonable hours during the *Ten* Days next preceding the said *Fifteenth* day of *September* in the present and in every succeeding year; and every Person who shall object to any other Person as not having been entitled on the *last* day of *July* then next preceding to have his Name inserted in any such Livery List, shall on or before the *Twenty-fifth* day of *August* in the present and in every succeeding year, give to such other Person, or leave at his usual place of abode, a Notice in writing, according to the Form numbered ( ) in the said Schedule, or to the like effect; and in the City of London the Returning Officer or Officers shall take the poll or votes of such Freemen of the said City, being Liverymen of the several Companies, as are entitled to vote at such Election in the Guildhall of the said City; and the said Returning Officer or Officers shall not be required to provide any booth or compartments, but shall appoint or take One Poll for the whole number of such Liverymen at the same place.

32. Lord Chief Justice and Judges of Assize to appoint Barristers for revising Lists.

And be it Enacted, That the Lord Chief Justice of the Court of King's Bench for the time being, shall, in the month of *July* or *August* in every year, nominate and appoint so many Barristers as the said Lord Chief Justice shall deem necessary, each such Barrister being of not less than *Three* Years' standing, to revise the respective Lists of Voters for the City of London and for the City of Westminster, and for the several boroughs in the County of Middlesex, and that the Senior Judge for the time being in the Commission of Assize for every other county, shall during the Summer Circuit in every year nominate and appoint so many Barristers as the said Judge shall deem necessary, each such Barrister being of not less than *Three* Years' standing, to revise the respective Lists of Voters, as well for the several cities and boroughs in every such county as for every city and town and county of a city and town next adjoining to any such county; and the town and

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county of the town of Kingston-upon-Hull shall for this purpose be considered as next adjoining to the county of York, and the town and county of the town of Newcastle-upon-Tyne as next adjoining to the county of Northumberland, and the city and county of the city of Bristol as next adjoining to the county of Somerset; and the said Lord Chief Justice and Judge respectively shall have power to nominate and appoint one or more Barristers to revise the Lists for the same city or borough or other place as aforesaid, or one Barrister only to revise the Lists for several cities, boroughs and other places as aforesaid: Provided always, That no Member of Parliament, nor any Person holding any office or place of profit under the Crown, shall be appointed as such Barrister as aforesaid, and that no Barrister so appointed as aforesaid shall be eligible to serve in Parliament for *Eighteen* Months from the time of his appointment for any city, borough or other place as aforesaid for which he shall be so appointed: Provided also, That nothing herein contained shall prevent the same Barrister from being appointed to revise the Lists for *Two* or more counties, ridings, parts or divisions, or for any county, riding, parts or division, and any *One* or more of the cities or boroughs therein.

33. Barrister to notify his appointment to Returning Officer, who is to transmit to him all Lists.

And be it Enacted, That every Barrister who shall hereafter be appointed to revise the Lists of Voters in any city or borough, shall, immediately upon his appointment, notify the same to the Returning Officer of every such city or borough, and such Returning Officer shall forthwith transmit copies of the Lists of Voters, and of Persons claiming to be inserted in such Lists, and of the Persons objected to, to the Senior Barrister, where more than one shall be appointed, in order that the said Barrister or Barristers may fix proper times for the holding his or their Courts for the revision of the List of Voters for such city or borough.

34. Barrister to hold Courts, and give notice thereof to the Returning Officer, who is to publish the same.

And be it Enacted, That the Barrister or Barristers so appointed to revise the Lists of Voters for any city or borough, shall hold an open Court or Courts for that purpose within such city or borough, and also within every place sharing in the election for such city or borough at the same time, between the *Fifteenth* day of *September* inclusive and the *Twenty-fifth* day of *November* inclusive in every year, and such Barrister or Barristers shall Days at the least before holding of such Court or Courts, give notice to the Returning Officer of such city or borough of the time of holding the same; and the said Returning Officer shall forthwith cause a Notice thereof to be fixed up on the outer doors of all Churches and Chapels and on the outer door of the Town Hall, or if there be no Church or Chapel or Town Hall, in some public and conspicuous place within the same city, borough or place.

35. Returning Officer, Town Clerks and Overseers of

And be it further Enacted, That the Returning Officer of every such city or borough, and the Town Clerk of every such city or borough or

the present and past year to attend the Courts.

place sharing in the election therewith, and the several Overseers for the time being of every parish or township within every such city, borough or place, and also such of the Overseers thereof for the year then last past, as shall at the time of the holding of such Court be resident within such city or borough, and in the City of London the Clerks of the several Livery Companies of such city, shall attend the Court for the revision of the Lists of Voters, to be holden before every such Barrister for every such city, borough or place as aforesaid, and shall answer, upon Oath, all such questions as such Barrister may put to them, touching any matter necessary for revising the Lists of Voters; and the said Overseers and Town Clerks respectively shall, at the opening of the said Court, deliver to the said Barrister the several Lists so made out by them respectively as aforesaid, and also the original Notices of Claim, and the original Notices of Objection, so given to them as aforesaid; and the said Overseers shall also produce at the said Court all Rates made for the relief of the Poor of their respective parishes or townships, between the *Thirty-first* day of *July* in the year then last past and the *Thirty-first* day of *July* in the then present year; and every such Barrister shall have power to require any Assessor, Collector of Taxes, or other Officer having the custody of any Duplicate or Tax Assessment, or any Overseer or Overseers, or other Person, having the custody of any Poor Rate, to produce the same respectively before him at any Court to be held by him for the purpose of assisting him in revising the Lists to be by him revised in pursuance of this Act.

36. Powers of Barrister to insert and expunge Names.

And be it Enacted, That every such Barrister shall insert in the List of Voters the Name of every Person omitted therefrom, who shall be proved to the satisfaction of such Barrister to have given due Notice of his Claim to be inserted in any such List of Voters for such city or borough, and to have been entitled on the *Twentieth* day of *July* then next preceding to have his Name inserted therein in respect of the qualification described in such Claim; and such Barrister shall expunge from the List the name of every Person objected to in manner hereinbefore mentioned, in case it shall not be proved that such Person was entitled on the *Twentieth* day of *July* then next preceding to have his Name inserted in the List of Voters for the said city or borough, in respect of the qualification described in such List, or in case it shall be proved to the satisfaction of such Barrister that such Person was then incapacitated by any law or statute from voting in the election of Members to serve in Parliament, and shall also expunge the name of every Person who shall be proved to him to be dead; and such Barrister shall correct any mistake which shall be proved to him to have been made in any such List as to any of the particulars required to be inserted in such Lists; and wherever the Christian Name, or the place of Abode, or the nature of the Qualification, or the local description of the

the Property of any Person who shall be included in any such List, shall be wholly omitted in any case where the same is by this Act directed to be specified therein, such Barrister shall expunge the Name of every such Person from such List, unless the matter or matters so omitted be supplied to the satisfaction of such Barrister before he shall have completed the revision of such List, in which case he shall then and there insert the same in such List: Provided always, That no Person's Name shall be expunged as aforesaid except in case of his death, or of any such omission as hereinbefore mentioned, unless the Party who shall have objected to such Person shall appear before the said Barrister, by himself or by some one in his behalf, in support of such objection, or in default of such appearance, some other Person, whose Name shall be in some List of Voters for the said city or borough, shall then and there appear to support such objection, and shall declare, by writing under his hand to be delivered to the said Barrister, that he is willing to be deemed to be the party objecting in the place and stead of the party who shall have given the Notice of Objection as aforesaid, nor unless the said Barrister shall be satisfied that the Notice of Objection shall have been duly given as is hereinbefore required in each of the said cases: Provided also, That the said Barrister shall not inquire into, or allow any Objection to be inquired into, the ground whereof shall not have been stated in the said Notice.

Mode of proceeding in cases of Objection.

37. Power of Revising Barristers to adjourn their Courts, administer Oaths, &c.

And be it Enacted, That every Barrister holding any Court under this Act as aforesaid shall have power to adjourn the same from time to time and from any one place to any other place or places within the same county, riding, parts or division, or within the same city or borough, or within any place sharing in the election for such city or borough, but so as that no such adjourned Court shall be held after the in any year; and every such Barrister shall have power to administer an oath (or in the case of a Quaker or Moravian an affirmation) to all Persons making objection to the insertion or omission of any Name in any of such Lists as aforesaid, and to all Persons objected to or claiming to be inserted in any of such Lists, or claiming to have any mistake corrected or any omission supplied in any of such Lists, and to all Witnesses who may be tendered on either side; and if any Person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be deemed guilty of *Perjury*, and shall be punished accordingly; and at the holding of such Courts the Parties shall not be attended by Counsel, and every Revising Barrister shall upon the hearing in open Court finally determine upon the validity of such claims and objections, and shall for that purpose have the same powers, and proceed in the same manner (except where otherwise directed by this Act) as the Returning Officer of any county, city or borough, according to the laws and usages now observed at elections; and such Barrister shall in open

Court write his Initials against the Names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected or any omission supplied, or the name of any polling place added, and shall sign his Name to every page of the several Lists so settled.

38. Judges to appoint additional Barristers in case of need.

And be it Enacted, That notwithstanding any thing hereinbefore contained, if it shall be made to appear to the Lord Chief Justice or Judge who shall have appointed any Barrister or Barristers under this Act to revise the List of Voters, that by reason of the death, illness or absence of any such Barrister or Barristers, or by reason of the insufficiency of the number of such Barristers, or from any other cause, such Lists cannot be revised within the period directed by this Act, it shall be lawful for such Lord Chief Justice or Judge, and he is hereby required to appoint one or more Barrister or Barristers, each of such Barristers being of not less than *Three* Years' standing, to act in the place of or in addition to the Barrister or Barristers originally appointed; and such Barrister or Barristers so subsequently appointed shall have the same powers and authorities in every respect as if they had been originally appointed by such Lord Chief Justice or Judge.

39. County Lists to be transmitted to Clerk of the Peace, and to be by him copied into a Book.

And be it Enacted, That the Lists of Voters for each county, or for the riding, parts or division of each county so signed as aforesaid by any such Barrister, shall be forthwith transmitted by him to the Clerk of the Peace of the county, riding or parts for which such Barrister shall have been appointed; and the Clerk of the Peace shall keep the said Lists among the Records of the Sessions, arranged with every hundred in alphabetical order, and with every parish or township within such hundred likewise in alphabetical order, and shall forthwith cause the said Lists to be fairly and truly copied by the same order, in a book to be by him provided for that purpose; and shall prefix to every name so copied out its proper number, beginning the numbers from the first name, and continuing them in a regular series down to the last name, and shall complete and deliver such book on or before the in every year to the Sheriff of the County or his Under Sheriff, who shall safely keep the same, and shall at the expiration of his office deliver over the same to the succeeding Sheriff or his Under Sheriff; and the Lists of Voters for each city or borough so signed as aforesaid by any such Barrister, shall be forthwith delivered by him to the Returning Officer for such city or borough, who shall safely keep the same, and shall cause the said Lists to be fairly and truly copied in a Book to be by him provided for that purpose, with every name therein numbered according to the directions aforesaid; and shall cause such book to be completed on or before the in every year, and shall deliver over such book, together with the Lists, at the expiration of his office, to the person succeeding

Borough Lists to be delivered to the Returning Officer, and to be by him copied into a Book.

ceeding him in such office; and every such book to be so completed on or before the in every year, shall be the Register of Electors to vote at any election which shall take place between the inclusive, in the year wherein such respective Register shall have been made, and the in the succeeding year.

Such Books to be the Register of Voters for One Year.

40. And be it Enacted, That the Revising Barrister shall furnish the Clerk of the Peace in counties, and the Returning Officer in boroughs respectively, as the case may be, with a List of the Persons whose claims to vote he has not allowed; and the said Clerk of the Peace and Returning Officer shall preserve such List of disallowed claimants, and shall enter the same in a separate book to be by them provided for that purpose.

Revising Barristers shall furnish Clerks of Peace and Returning Officers with Lists of disallowed Claimants.

41. AND whereas it is expedient to make provision for compelling the attendance of Witnesses before the Courts of the Revising Barristers, for the purpose of being examined touching any matters cognizable before such Courts; BE it therefore Enacted, That the Clerk of the Crown Office of the Court of King's Bench at Westminster, and the Clerk of the Peace of every county, riding, part or division, shall and they are hereby respectively required, upon the application of any Party requiring the same, to issue a Subpœna or Subpœnas for compelling the attendance of any Person or Persons before the Court of any Revising Barrister, to be examined touching any matter cognizable before such Court.

Persons may be subpœnaed as Witnesses before the Courts of the Revising Barristers.

42. And be it further Enacted, That the service of every such Subpœna upon any Person shall be good and effectual to compel the attendance of such Person to be examined before such Court in every part of England and Wales; and in case the Person served shall not appear according to the exigency of such Subpœna, it shall be lawful for the Revising Barrister before whose Court such Person was in such Subpœna required to attend, to transmit a Certificate of such default under his hand to the Court of King's Bench in England, and this last-mentioned Court shall and may proceed against and punish such Person so having made such default, in like manner as they might have done if such Person had neglected or refused to appear in obedience to a Subpœna issued out of such Court: Provided always, That the said last-mentioned Court shall not in any case proceed against or punish any person for having made default by not appearing to give evidence in obedience to any such Subpœna, unless it shall be made to appear to such Court that a reasonable and sufficient sum of money to defray the expenses of coming and attending to give evidence, and of returning from giving evidence, had been tendered to such Person at the time when such Subpœna was served upon such Person.

Proceedings against Persons subpœnaed who shall not attend the Court.

43. Power to Barristers to fine Overseers for neglect of duty.

And be it Enacted, That if any Overseer of any parish or township within the meaning of this Act, shall wilfully refuse or neglect to make out any List, or to cause to be fixed up any Notice or List, or copy of the part of the Register of Voters relating to his parish or township, at the time and in the manner required by this Act, or shall wilfully refuse or neglect to attend the Court for revising the List of Voters of his parish or township, or shall wilfully refuse or neglect to deliver to the Barrister or Barristers holding any such Court, the several Lists so to be made out by them as aforesaid, and the original Notices of Claim and of Objection as respectively required by this Act, every such Overseer so offending shall, for every such offence, be liable to pay by way of fine, a sum of money not exceeding *Fifty Pounds*, nor less than *Five Pounds*, to be imposed by and at the discretion of any Barrister holding any Court for the revision of any List of the parish or township of such Overseer.

44. Fines, to whom payable, and to what purpose to be applied.

And be it Enacted, That whenever any such Fine shall be imposed on any Overseer for any such Offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any county, riding, parts or division of a county, such fine shall be paid to the use of the general rate of the county, riding, parts or division of a county in which the parish or township of such Overseer shall be situate; and wherever any such fine shall be imposed on any Overseer for any such offence as aforesaid, where the same shall relate to the formation of the Register of Voters for any city or borough, such fine shall be paid to the use of the Poor's Rate of the parish or township of such Overseer; and it shall and may be lawful for any such Barrister so imposing any such fine as aforesaid, and he is hereby directed and empowered to order the Party offending to pay such fine to some Person to be by him the said Barrister authorized to receive the same, and to be applied by such Person for the use of the said county, riding, parts or division of a county, or for the use of the said parish or township, as the case may be; and such Barrister shall make his order or certificate in writing for that purpose, according to the Form, Number in the Schedule to this Act annexed, or to the like effect.

45. Power to Barrister to give Costs in certain cases to Parties claiming or objecting.

And be it further Enacted, That in the revision of any List of Voters for any county, riding, parts or division of a county, if it shall appear to the Barrister holding the Court for that purpose that any Person objected to as hereinbefore mentioned had no reasonable and probable cause for making his claim to be inserted in such List, in every such case the said Barrister shall and he is hereby required to make and deliver to the Party objecting an order or certificate in writing for the payment to him by the said Person so objected to as aforesaid, of any sum of money not exceeding the sum of for costs; and that in the revision of any List of Voters for any county, riding, parts or division of a county, or for any city or borough, if any person objected to

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as hereinbefore mentioned shall appear before the Barrister holding the Court for that purpose, and shall defend his title to have been inserted in any such List, and it shall appear to such Barrister that he had no reasonable and probable cause for such defence, in every such case the said Barrister shall and he is hereby required to make and deliver to the party objecting an order or certificate in writing for the payment to him by the said Person so objected to as aforesaid of any sum of money not exceeding the sum of for costs; and if any Person objecting as hereinbefore mentioned to any other Person as not having been entitled to have his Name inserted in such List, shall not appear, by himself or by some one in his behalf, in support of such objection before the Barrister holding his Court for that purpose, or if it shall appear to the said Barrister that the Person objecting had made such objection without any reasonable or probable cause, in all such cases the said Barrister shall and he is hereby empowered to make and deliver to the Person so objected to as aforesaid an order or certificate in writing for the payment to him, by the said Party objecting, of any sum of money not exceeding the sum of for costs: Provided always, That the said Barrister shall not in any case be empowered to order the payment to any party of any sum of money exceeding the costs actually incurred by him in support of his objection, or of his claim or title to vote, as the case may be.

46. Fines and Costs to be recovered by distress and sale of the Party's Goods.

And be it Enacted, That in case the Person ordered by any such order or certificate to pay any sum of money by way of Fine, or any sum of money as Costs as aforesaid, shall not forthwith pay the same according to such order or certificate, it shall and may be lawful for any Justice of the Peace of the county, riding, parts or division of a county, or for the city or borough, in the revising of any List, whereof the said Barrister shall have made such order or certificate, as the case may be, and every such Justice is hereby empowered and required, upon due proof to him made that a copy of the said Order or Certificate hath been served upon the Party thereby ordered to pay the sum of money therein mentioned, and that the said sum of money hath been duly demanded of him, and that he hath refused or neglected to pay the same, to cause the said sum of money to be levied by distress and sale of the goods and chattels of the said Party, together with the expenses of such levy, the overplus (if any) to be rendered by the Person making such levy to the owner of the goods and chattels on request; and the said Justice shall make his warrant for such levy under his hand and seal, according to the Form numbered in the Schedule to this Act annexed, or to the like effect; and no Certiorari or other writ or process for the removal of any such Order or Certificate or Warrant, or any proceedings thereon, into any of His Majesty's Courts at Westminster, shall be allowed or granted.

47. Copies of the Registers to be printed for sale.

And be it Enacted, That the Clerks of the Peace shall cause to be printed Copies of the Registers of the Voters for their respective counties, ridings, parts or divisions of counties, and every such Clerk of the Peace shall deliver such respective Copies to all Persons applying for the same, on payment of a reasonable price for each Copy; and the Monies arising from the sale thereof shall be accounted for to the Treasurer of the respective county, riding, parts or division; and the Returning Officer of every city or borough shall cause to be printed copies of the Register of the Voters for such city or borough, and shall deliver such Copies to all Persons applying for the same, on payment of a reasonable price for each Copy, and the Monies arising from the sale of all such Copies of the Registers of the Electors for every such city or borough shall be accounted for by every such Returning Officer to the Overseers of the several parishes and townships within the same, in proportion to the number of Persons placed on the Register of Voters for each parish or township, and shall be applied by the said Overseers to the same purposes as Monies collected for the relief of the Poor; and the names of the "Disallowed Claimants" shall be printed at the end of such Registers of the Voters, but in such a manner as not to be mingled with the names of the Voters.

48. Expenses of Clerks of the Peace, &c. how to be defrayed.

And be it Enacted, That all Expenses incurred by the Clerk of the Peace in any county, riding, parts or division of a county, in causing the Lists of the Voters for such county, riding, parts or division of a county to be copied out and made into a Register, and in causing Copies of such Register to be written or printed, and in otherwise carrying into effect the provisions of this Act, shall be defrayed by the Treasurer of such county, riding or parts, out of any public Money in his hands, and he shall be allowed all such payments in his Accounts: Provided always, That no Expenses incurred by any Clerk of the Peace under this Act shall be so defrayed, unless the Account thereof be laid before the Justices of the Peace at the next Quarter Sessions after such Expenses shall have been incurred, and the same be allowed by the Court.

49. Expenses of Overseers, Returning Officers, &c. how to be defrayed.

And be it Enacted, That the Expenses incurred by the Overseers of any parish or township in making out, printing and publishing the several Notices and Lists directed by this Act to be done by them, and all other Expenses incurred by them in carrying into effect the provisions of this Act, shall be defrayed out of the Money collected or to be collected for the relief of the Poor in such parish or township; and that all Expenses incurred by the Returning Officer of any city or borough in causing the Forms of Precepts, Notices and Lists to be printed, and the Lists of the Voters for such city or borough to be copied and made into a Register, and in causing Copies of such Register to be written or printed, and all other Expenses incurred by him

him in carrying into effect the provisions of this Act, and that all Expenses incurred by any Town Clerk in carrying the provisions of this Act into effect, shall be defrayed by the Overseers of the Poor of the several parishes and townships within such city or borough or place sharing in the election therewith, out of the Money collected or to be collected for the use of the Poor in such parishes and townships, in proportion to the number of Persons placed on the Register of Voters for each parish or township; and provided always, That no expenses by any Overseer of any parish or township under this Act or the said recited Act shall be so defrayed, unless the Account be laid before the Barrister at the Court held for revising the List of Voters for such parish or township, or some adjournment thereof, and be allowed by such Barrister.

50. Remuneration of Revising Barristers.

And be it Enacted, That every Barrister appointed to revise any Lists of Voters under this Act, shall be paid at the rate of *Five Guineas* for every day that he shall be so employed over and above his travelling and other expenses; and every such Barrister, after the termination of his last sitting, shall lay or cause to be laid before the Lords Commissioners of His Majesty's Treasury for the time being, a statement of the number of days during which he shall have been so employed, and an account of the travelling and other expenses incurred by him in respect of such employment; and the said Lords Commissioners shall make an order for the amount to be paid to such Barrister.

51. Penalty on Persons wilfully destroying Lists or Notices.

And be it Enacted, That any Person wilfully destroying any List or Notice hereinbefore mentioned, legally fixed up in any public situation, shall be guilty of a *Misdemeanor*, and on conviction thereof before any Justice of the Peace, shall be liable to a fine of any sum of Money not exceeding *Ten Pounds*, and in default of payment to *imprisonment with hard labour* for *One* calendar Month.

52. Act not to extend to Ireland or Scotland.

And be it Enacted, That nothing in this Act shall be construed to apply to Ireland or Scotland.

SCHEDULES

TO WHICH THIS ACT REFERS.

No. 1.

WARRANT of the CLERK of the PEACE to OVERSEERS.

County of } TO the Overseers of the Poor of the { Parish / Township } of
to wit. }

THESE are to require you, on or before the *Twentieth* day of *June* next, to cause to be fixed on or near the outer doors of all Churches and Chapels within your Parish [or, Township], or if there be no Church or Chapel therein, then in some public and conspicuous situation, the Notice sent herewith, marked having first signed the same: And you are further required, on or before the *last* day of *July* next, to make an Alphabetical List of all Persons claiming to be inserted in the Lists of Claimants to vote, and to write or cause to be written the Christian Name and Surname of every such Person at full length, together with the place of his abode, the nature of his qualification, and the local or other description of the property, and the name of the occupying Tenant, if stated in such claim, in the proper columns of the Form of the List herewith sent; and after you have made such List of Claimants to vote, you are to sign the same, and you shall cause such List, together with the part of the Register of the current year which relates to your Parish or Township herewith sent, to be fixed up on the *Two* Sundays next after they are made, in the same places as is hereinbefore directed as to the Notices.

And if you shall have reasonable cause to believe that any Person claiming to be inserted in the List of Claimants to vote, or that any Person whose name shall appear in the Register for the time being, is not entitled to vote in the Election of a Knight of the Shire for the County [or, for the Riding, Part or Division] in which your Parish or Township is situate, or is removed from his residence as described in such Register, you are then to write the words "Objected to" opposite his Name in the margin of such List, or part of Register; and you must also give Notice according to Form to such Person, that you object to his name being inserted in the List of Claimants to vote, or being retained in the Register [as the case may be.] And you must state in such Notice the ground of your objection, as that he has "No freehold," or "That it is not of sufficient value," or "That he has changed his residence;" and you may either deliver such Notice personally, at the Place of Abode mentioned in the Register or List of Claimants, or leave the same with the occupying Tenant, or you may transmit the same by post, free of postage. And you are to include the Names of all Persons objected to

to by yourself or by other Persons in a List, according to the Form sent herewith; and you are to fix up the same in such Places as the List of Claimants were fixed, on the *Two* Sundays next preceding the *Fifteenth* day of *September*. And you must also write the word "Dead" against the name of any Person who shall have died. And you are further required to keep a true Copy of such List of Claimants, and of such part of the Register, to be perused by any Person, without payment of any fee, at all reasonable hours during the *First Two* Weeks of *August* after such List shall have been made; and you are further required, on the *Twenty-ninth* day of *August*, to transmit to me a Copy of the List of Claimants so made out as aforesaid; and also the original Notices of Persons claiming to be inserted in such List; and also the original Notices of Objection to the Name of any Person which shall have been inserted in such List; and also the part of the Register for the current Year which shall have been sent to you. And if you have not a sufficient number of Forms, or of Copies of the part of the Register relating to your Parish or, Township], you are to apply to me for more: And these several matters you are in nowise to omit, upon the peril that may ensue. Given under my hand, this day of One thousand eight hundred and

County Hall. A. B. Clerk of the Peace

No. 2

County Registration. } NOTICE of the MAKING OUT of LISTS to be fixed up by OVERSEERS, on the *Twentieth* day of *June*.

Parish of to wit. } WE hereby give Notice, That we shall, on or before the *last* day of *July* in this year, make out a List of all Persons entitled to vote in the Election of a Knight of the Shire for the County of [or, for the riding, parts or division of the County of as the case may be], in respect of Property situated wholly or in part within this Parish [or, Township]; and all Persons so entitled are hereby required to deliver or transmit to us, on or before the *Twentieth* day of *July*, a Claim in writing, according to the Instructions at the foot hereof. Persons omitting to deliver or transmit such Claim will be excluded from the Register of Voters. [But Persons whose Names are now on the Register are not required to make a fresh Claim so long as they retain the same qualification, and continue in the same place of abode as described in the Register.]

(signed) A. B. C. D. E. F. } Overseers of the Parish [or, Township] of

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INSTRUCTIONS to VOTERS making CLAIMS.

EVERY Claim must be signed by the Party, or by some Agent duly authorized in his behalf, and must contain the following particulars:—

1.—The Christian Name and Surname of the Claimant at full length.

2.—The Place of Abode of the Claimant; and if it be not in this Parish nor in any Post Town, the name of the Post Town nearest to such residence is also to be stated.

3.—The tenure and nature of the Qualification, and its value or rent; for example, freehold, copyhold or leasehold Land, House, Warehouse, Mill, Annuity or Rent-charge arising out of Real Estate, Office deriving a revenue from Real Estate, occupation of Farm, &c. as *Fifty Pound* Tenant. The full value or rent need not be set forth, but only so far as to show that it is sufficient, according to its class, to confer the qualification.

4.—Such a description of the qualifying Property as will serve to identify it; namely, if in a Town or Village, the street or lane or other like place where it is situate; if in the Country, the name by which the Property is usually known; but if neither of these means are applicable, then the Name of the occupying Tenant is to be stated. In case the Qualification consists in Tithes, an Annuity or Rent-charge, or the Income of an Office, a particular or general description must be given of the Lands or Tenements out of which the same arises.

If the Name of the Party be already on the Register, he must notify, that the particulars given in his fresh Claim are in addition to or substitution for the former.

No. 3.

NOTICE of CLAIM to be given to OVERSEERS.

TO the Overseers of the { Parish / Township } of

I HEREBY give you Notice, That I claim to be inserted in the List of Claimants to Vote for the { County / Riding / Parts / Division } of

and the Particulars of my Qualification and of my Place of Abode are stated below.

Dated this day of One thousand eight hundred

(signed) John Adams.

Christian and Surname of Claimant at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane or Place where Property is situated, or other Description.	Name of Occupying Tenant.
John Adams -	13, *Cheapside, London*	*Freehold Land*	- *At* 10, *King-street, or Highfield-farm.*	*James Edwards.*

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No. 4.

OVERSEERS' LIST OF CLAIMANTS, to be fixed up on *Two* Sundays next after the *Thirty-first* day of *July*.

County of [or, Riding, Parts, or Division of the County of as the case may be.] to wit, } THE LIST of PERSONS claiming to vote in the Election of a Knight of the Shire for the County of [or, for the Riding, Parts, or Division of the County of as the case may be], in respect of Property situated within the { Parish / Township } of

Christian Name and Surname of each Voter at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like Place in this Parish [or, Township] where the Property is situated, or Name of the Property.	Name of Tenant.	If objected to by Overseers.

(signed) A. B. / C. D. / E. F. } Overseers of the said Parish [or, Township.]

And Notice is hereby given, That any Person having any objection to make to any Person in the above List of Claimants, or to any Person in the Register of Voters now in force for this parish, must give written Notice to us, and also to the Party objected to, with the grounds of such objection, on or before the *Twenty-fifth* day of *August* next.

Dated this *Thirty-first* day of *July* One thousand eight hundred

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No. 5.

NOTICE of OBJECTION to be given to OVERSEERS.

TO the Overseers of the { Parish / Township } of

I HEREBY give you Notice, That I object to the name of William Ball being returned in the List of Voters for the { County / Riding / Parts / Division } of on the following grounds:—[here must be stated the grounds of objection; videlicet, That the Objectee has no Freehold, or has not some place of abode, or is in the Revenue Department, &c. &c.]

Dated this day of One thousand eight hundred

(signed) A. B. [Place of Abode.]

No. 6.

NOTICE of OBJECTION to be given to PARTIES.

TO Mr. William Ball, Market-street, Cambridge.

I HEREBY give you Notice, That I object to your Name being retained in the List of Voters for the {County / Riding / Parts / Division} of on the following ground :—[here must be stated the ground of objection.]

Dated this day of One thousand eight hundred

(signed) A. B. [Place of Abode.]
[or,
C D. Overseer of Parish of .]

No. 7.

LIST of PERSONS OBJECTEES, to be published by the OVERSEERS.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Voters for the {County / Riding / Parts / Division} of

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification.	Street, Lane or other like Place in this Parish [or, Township] where the Property is situate, or Name of the Property.	Name of Tenant.	Name of Objector.

(signed) A. B. } Overseers of the Parish of
C. D. } [or, Township, as
E. F. } the case may be.]

No. 8.

LIST of PERSONS EXPUNGED, to be signed by the BARRISTER.

THE following Persons have been expunged by me from the List of the Parish of , as not being entitled to have their Names inserted in the List of Voters for the County of [or, for the Riding,] Parts or Division of the County of .]

NAME.	Place of Abode.	Nature of Supposed Qualification.	Street, Lane, or other Place where Property is situate, or Name of Property or Tenant.

(signed) A. B., Revising Barrister for the County of [or, Riding, Parts or Division of the County of .]

No. 9.

WARRANT of the RETURNING OFFICER to OVERSEERS in Boroughs.

Borough of } TO the Overseers of the Poor of the {Parish / Township} of
to wit. }

THESE are to require you, on or before the *Twentieth* day of *June* next, to cause to be fixed on or near the outer doors of all the Churches and Chapels within your {Parish, / Township,} or if there be no Church or Chapel therein, then in some public and conspicuous situation, a Notice (according to the Form marked (11.) to all Persons rated to the relief of the Poor, stating that unless all Poor's Rates and Assessed Taxes which shall have become payable from them during the *Nine* calendar Months previous to the *Sixth* day of *April* last, be paid on or before the *Twentieth* day of *July* next, every such Person will be omitted from the List of Voters for the present year, and will be thereby disfranchised: And you are hereby further required, on or before the *Thirty-first* day of *July* next, to make out or cause to be made out an Alphabetical List of all Persons who may be entitled to vote in the Election of a Member to serve in any Parliament for this City [or, Borough] in respect of the occupation of premises of the clear yearly value of *Ten Pounds* situate wholly or in part within your Parish or Township; and another Alphabetical List of all other Persons (except Freemen) who may be entitled to vote in the Election for this City [or, Borough] by virtue of any other right whatsoever;

soever; and in each of the said Lists you must write or cause to be written, the Christian Name and Surname of every such Person at full length, together with the nature of his qualification; and when any Person shall be entitled to vote in respect of any property, you must state the name of the street, lane or other description of the place where such property may be situate; and when any Person shall be entitled to vote otherwise than in respect of any property, then you must state the name of the street, lane or other description of the place of abode of such Person; all which must be done in the Forms of Lists herewith sent: And when you have made out such Lists, you must sign the same, and cause a sufficient number of them to be printed at the expense of your Parish or Township, and to be fixed up on or near the outer doors of all the churches and chapels in your Parish or Township, or if there is no church or chapel therein, then in some public and conspicuous situation, on the *Two* Sundays next after such Lists shall be made out; and keep true copies of such Lists to be perused by any Person without payment of any fee, at all reasonable hours, during the first *Three* Weeks after such Lists shall have been made: And you are further required to include the Names of all Claimants to vote in a List, according to the Form marked (4.); and you are also to include the Names of all Objectees in a List, according to the Form marked (7.); and you are to sign such Lists of Objectees and Claimants, and to cause a sufficient number of copies thereof to be printed and to be fixed in the same places as is hereinbefore directed in respect to the original Lists of Voters, on the *Two* Sundays next preceding the *Fifteenth* day of *September*; and you are to keep true copies of such Lists of Claimants and of Objectees, to be perused by any Person, without payment of any fee, at all reasonable hours, during the *Ten* Days next preceding the *Fifteenth* day of *September*; and you shall deliver copies of each of such Lists to any Person requiring the same, on payment of *One Shilling* for each copy: And you are further required, on the *Twenty-ninth* day of *August*, to transmit to me the List of Voters so made as aforesaid, and also the original Notices of Persons claiming to be inserted in such List; and also the original Notices of Objection to the names of any Persons inserted by you in such List; and also the original Notices of Objection to the names of any Persons inserted in the List of Freemen, and which shall have been served upon you; and also the part of the Register for the current year relating to your Parish or Township: And you are further required to attend the Courts to be held by the Barrister appointed to revise the Lists of Voters relating to your Parish or Township, of which you will have due notice, and there to answer on oath such questions as shall be put to you by such Revising Barrister touching the said Lists. And if you have not a sufficient number of Forms or of copies of the part of the Register relating to your Parish [or, Township], you are to apply to me for more: And these several matters you are in nowise to omit, upon the peril that may ensue. Given under my hand, this day of One thousand eight hundred

(signed) A. B.
Returning Officer of the City
[or, Borough.]

No. 10.

WARRANT of Returning Officer to Town Clerk.

Borough of } TO the Town Clerk [or, other like Officer] of the City [or, Borough]
to wit. } of

THESE are to require you, on or before the *Twentieth* day of *June*, to cause to be fixed on or near the Door of the Town Hall, or in some public and conspicuous situation, a Notice, according to the Form numbered in the Schedule annexed to "An Act for the Registration of Electors in England and Wales," requiring all Freemen who shall not be upon the Register of Persons entitled to vote in the Election of a Member or Members to serve in any future Parliament, and who claim to be inserted therein, to deliver or transmit to you, on or before the *Twentieth* day of *July*, a Notice of their Claim as such Freemen, according to the Form numbered (15.) in the Schedule to the said Act annexed, or to the like effect; and you are further required, on or before the *last* day of *July*, to make an Alphabetical List of all Freemen who shall claim as aforesaid, and to write the Christian Name and Surname of every such Freeman at full length, together with the Place of Abode and other description mentioned in such Claim; and also to make out, or cause to be made out, an Alphabetical List of all the Freemen who are upon the Register for the current year, together with the Place of Abode and other description mentioned in such Register; and also to write the word "Dead" against the Name of any Freeman who may have died; and to cause Copies of such Lists to be fixed on or near the Door of the Town Hall, or in some public and conspicuous situation, on the *Two* Sundays next after such List shall have been made; and you are to keep a true Copy of such List, to be perused by any person without payment of any fee, at all reasonable hours during the *First Three* Weeks after such List shall have been made; and you are to include the name of all Objectees in a List according to the Form numbered (21.) sent herewith; and you are to cause Copies of such Lists of Objectees to be fixed up in the same places as has been directed in respect to the Lists of Claimants on the *Two* Sundays next preceding the *Fifteenth* day of *September*; and you are to keep a true copy of such List, to be perused by any person without payment of any fee during the *Ten* Days next preceding the said *Fifteenth* day of *September*; and you are further required to cause to be printed true Copies of all Lists so to be made by you, and deliver the same to any person applying for them, on payment of *One Shilling* for each Copy; and you are further directed, on the *Twenty-ninth* day of *August*, to transmit to me the List of Freemen who shall claim to be inserted in the Lists as aforesaid, and also the List of Freemen already upon the Register, and also the original Notices of Claim, and also the original Notices of Objection to the Name of any Person inserted in such Lists.

Given under my hand this day of *June* One thousand eight hundred

(signed) A. B., Returning Officer.

No. 11.

NOTICE of Overseers.

Parish of

City [or Borough] of to wit. } WE hereby give Notice to all Persons rated to the relief of the Poor within this Parish [or, Township], That unless all the Rates and Assessed Taxes due from them for One Year previous to the *Sixth* day of *April* last be paid on or before the *Twentieth* day of *July* next, all such Persons will be omitted from the List to be made by us of the Persons claiming to vote in the Election of a Member for this City [or, Borough,] and all such Persons will be disfranchised. Dated this *Twentieth* day of *June* One thousand eight hundred

(signed) A. B. C. D. E. F. } Overseers of the said Parish [or, Township.]

No. 12.

The LIST of Persons entitled to vote in the Election of a Member for the City [or, Borough] of in respect of Property occupied within the Parish [or, Township] of by virtue of an Act passed in the Second Year of the reign of King William the Fourth, intituled, "An Act to amend the Representation of the People in England and Wales."

Christian Name and Surname of each Voter at full Length.	Nature of Qualification.	Street, Lane or other Place in this Parish, where the Property is situate.

(signed) A. B. C. D. E. F. } Overseers of the said Parish [or, Township.]

And Notice is hereby given, That any Person omitted from the above List and legally entitled to be inserted therein, must give to us, on or before the *Twenty-fifth* day of *August* next, a written Claim stating the particulars of his qualification; and any Person having any legal objection to make to the Name of any Person inserted in the above List must give Notice thereof in writing to us, and also to the Party objected to, stating the ground of such objection, on or before the said *Twenty-fifth* day of *August* next. Dated this. day of One thousand eight hundred

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No. 13.

THE LIST of all PERSONS (not being Freemen) entitled to vote in the Election of a Member [or, Members] for the City [or, Borough] of in respect of any Rights other than those conferred by an Act passed in the Second Year of the reign of King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in England and Wales."

Christian Name and Surname of each Voter at full Length.	Nature of Qu alification.	Street, Lane or other Place in this Parish where the Property is situate.	If the Right of Voting does not depend on Property, state the Place of Abode.

(signed) A. B. C. D. E. F. { Overseers of the Parish of [or, Township] within the said City [or, Borough.]

And Notice is hereby given, That any Person omitted from the above List and legally entitled to be inserted therein, must give to us, on or before the *Twenty-fifth* day of *August* next, a written Claim, stating the particulars of his qualification; and any Person having any legal objection to make to the Name of any Person inserted in the above List must give Notice thereof in writing to us, and also to the Party objected to, stating the ground of such objection, on or before the said *Twenty-fifth* day of *August* next. Dated this day of One thousand eight hundred

No. 14.

THE LIST of the FREEMEN of the City [or, Borough] of [or, of being a Place sharing in the Election with the City [or, Borough] of] entitled to vote in the Election of a Member [or, Members] for the said City [or, Borough].

Christian Name and Surname of each Freeman at full Length.	Place of his Abode

(signed) A. B. { Town Clerk of the said City [or, Borough, or, Place.]

And Notice is hereby given, That any Person having any legal objection to make to the Name of any Freeman inserted in the above List, must give Notice thereof in writing to me, and also to the Party objected to, stating the ground of such objection, on or before the *Twenty-fifth* day of *August* next. Dated this day of One thousand eight hundred .

No. 15.

NOTICE of CLAIM.

TO the Overseers of the Parish [or, Township] of
[or, to the Town Clerk of the City or Borough of
or otherwise, as the case may be.]

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled to vote in the Election of a Member [or, Members] for the City [or, Borough] of and that my Qualification consists of a House in Duke-street in your Parish [or, that my Qualification is as an Inhabitant Householder paying scot and lot, or otherwise, as the case may be; and in case of a Freeman, say, "and that my Qualification is as a Freeman of and that I reside in Lord-street in this City, or, Borough."]

Dated the day of One thousand eight hundred and Thirty-

(signed) John Allen, of [Place of Abode.]

No. 16.

NOTICE of OBJECTION.

TO the Overseers of the Poor of the { Parish / Township } of
or to the Town Clerk of the { City / Borough } of
[or otherwise, as the case may be.]

I HEREBY give you Notice, That I object to the Name of Thomas Bates being retained in the List of Persons entitled to vote in the Election of a Member for the { City / Borough } of on the following ground:—[here must be stated the ground of Objection, as that the Party is not an Occupier of sufficient value, or that he has ceased to occupy, or that he is personally disqualified by being a Minor or an Officer of the Revenue, &c. &c.] And that I shall bring forward such Objection at the Court of the Revising Barrister.

Dated this day of One thousand eight hundred and Thirty-

(signed) A. B. [Place of Abode.]

No. 17.

NOTICE of OBJECTION to be given to PARTIES.

TO Mr. William Ball, Market-street, Lancaster.

I HEREBY give you Notice, That I object to your Name being retained on the List of Voters for the City of [or, Borough] on the following ground:—[here must be stated shortly the ground of Objection, as that the Party is not an Occupier of sufficient value, that he has ceased to be Occupier, or that he is personally disqualified, as being a Minor, an Officer of Revenue, &c.]

Dated this day of One thousand eight hundred and Thirty-

(signed) A. B. [Place of Abode, or, Overseer.]

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No. 18.

LIST of CLAIMANTS, to be published by the OVERSEERS on *Two* Sundays next preceding the *Fifteenth* day of *September*.

THE following Persons claim to have their Names inserted in the List of Claimants to vote in the Election of a Member for the City [or, Borough] of

Christian Name and Surname of each Claimant at full Length.	Nature of Qualification.	Street, Lane, or other Place in this Parish where the Property is situate.	If Right does not depend on Property, state the Place of Abode.

(signed) A. B.
C. D. } Overseers of, &c.
E. F.

No. 19.

LIST of PERSONS objected to, to be published by the OVERSEERS on *Two* Sundays next preceding the *Fifteenth* day of *September*.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Persons qualified to vote in the Election of a Member for the City [or, Borough] of

Christian Name and Surname of each Objectee at full Length.	Nature of the supposed Qualification.	Street, Lane, or other Palce in this Parish where the Property is situate.	If the Right does not depend on Property, state the Place of Abode.

(signed) A. B.
C. D. } Overseers of, &c.
E. F.

No. 20.

LIST of CLAIMANTS as FREEMEN, to be published by the TOWN CLERKS.

THE following Persons claim to have their Names inserted in the List of the Freemen of the City [or, Borough] of [or, of being a Place sharing in the Election with the City [or, Borough] of], entitled to vote in the Election of a Member for the said City [or, Borough].

Christian Name and Surname of each Claimant at full Length.	Place of his Abode.

And Notice is hereby given, That any Person having any legal objection to make to the Name of any Freeman inserted in the above List, must give Notice thereof in writing to me, and also to the Party objected to, stating the ground of such objection, on or before the *Twenty-fifth* day of *August* next. Dated this day of One thousand eight hundred

(signed) A. B. {Town Clerk of the said City [or, Borough.]

No. 21.

THE LIST of OBJECTEES, to be published by the TOWN CLERKS.

THE following Persons have been objected to as having no right to be retained on the List of the Freemen of the City [or, Borough] of [or, of being a Place sharing in the Election with the City [or, Borough] of], entitled to vote in the Election of a Member for the said City [or, Borough.]

Christian Name and Surname of each Objectee at full Length.	Place of his Abode.

(signed) A. B. {Town Clerk of the said City [or, Borough.]

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No. 22.

LIST of REJECTED CLAIMANTS, to be made by the REVISING BARRISTER.

THE following Persons have claimed to have their Names inserted in the Register of Electors for the {County / Borough} of and their Claims have been rejected by me.

Christian Name and Surname, at full Length.	Nature of Supposed Claim.	Street, Lane or Place where qualifying Property is situated.	Place of Abode.

(signed) Y. Z. {Revising Barrister for said {County / Borough} of

Dated this day of One thousand eight hundred and Thirty-

No. 23.

LIST of EXPUNGED NAMES, to be made by REVISING BARRISTER.

THE Names of the following Persons have been expunged by me from the Register of Electors for the {County / Borough} of

Dated this day of One thousand eight hundred and Thirty-

(signed) Y. Z. {Revising Barrister for said {County / Borough} of

Registration of Electors.

A

B I L L

For the Registration of Electors in England and Wales.

(Prepared and brought in by Mr. Elphinstone, Mr. Hume and Mr. Aglionby.)

Ordered, by The House of Commons, *to be Printed,*
9 *February* 1836.

A

B I L L

To render the Register of Electors final.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS it is expedient that every Person whose name shall appear on the Register of Electors in force for the time being, according to the provisions of an Act passed in the second year of the reign of His Majesty King WILLIAM the Fourth, intituled, "An Act to amend the Representation of the People in England and Wales," shall have the right of voting at any contested Election of a Member to serve in Parliament for any County or Borough, notwithstanding such Person may have lost or changed his qualification since the period at which the Register was made: Preamble: 2 W. 4, c. 45.

And whereas it would tend to the saving of time and expense if Election Committees of the House of Commons or other Courts for the trial of disputed Elections, were prevented from inquiring into the goodness or badness of any vote legally tendered, unless such vote have been previously objected to, or have been a matter of controversy at the Court of the Revising Barristers, by whom the Register of Electors in force at the time of the disputed Elections shall have been made:

And whereas it is by the said recited Act among other things enacted, that the following question may be put to any Voter at the time of tendering his vote; (that is to say)

"3. Have you the same Qualification for which your Name was originally inserted in the Register of Voters now in force for the County of, &c. [or, for the Riding, &c.

or for the City, &c. as the case may be, specifying in each case the particulars of the Qualification, as described in the Register] ?"

And whereas it is expedient that the aforesaid question be NOT put; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT so much of the said Act as allows the aforesaid question to be put be repealed, and it is Repealed accordingly.

1. Question in recited Act Repealed.

2. All Persons whose Names appear in Register of Electors, to have Right of Voting.

And be it Enacted, That at all contested Elections of Members to serve in Parliament, every Person whose name shall appear in the Register of Electors in force for the time being, shall have the right of voting, and it shall not be lawful for the Returning Officer or any Person in his behalf to make any inquiry whatever respecting the qualification or loss of qualification of any Person whose name is inserted in the Register of Electors: Provided always, That any other questions allowed by the said recited Act, or any Oath or Affirmation now required by law may still be put to the Voter.

AND whereas in and by the said recited Act it is provided, that upon petition to The House of Commons, complaining of an undue Election or Return of any Member or Members to serve in Parliament, any Petitioner or any Person defending such Election or Return shall be at liberty to impeach the correctness of the Register of Voters in force at the time of such Election, by proving that in consequence of the decision of the Barrister who shall have revised the Lists of Voters from which such Register shall have been formed, the name of any Person who voted at such Election was improperly inserted or retained in such Register, or the name of any Person who tendered his vote at such Election improperly omitted from such Register, and the Select Committee appointed for the trial of such Petition shall alter the Poll taken at such Election according to the truth of the case, and shall report their determination thereupon to the House, and the House shall thereupon carry such determination into effect, and the Return shall be amended or the Election declared void, as the case may be, and the Register corrected accordingly, or such other order shall be made as to the House shall seem proper: AND whereas doubts have arisen as to the true intent and meaning of the said enactment with respect to the power and authority of any such Committee to inquire into the validity or invalidity of the Vote of any Person being on the Register of Voters in force at the time of such Election; BE it therefore Enacted, That it shall and may be lawful for any such Committee to inquire into and decide upon the right to vote of any

3. Power to Committees on Election Petitions to decide as to Right of Voting.

Person

Person who (being upon the Register of Voters, or upon the Lists of Claimants, or upon the List of expunged Votes) shall have voted at such Election, only in case it shall appear to the Committee that such Elector shall have been admitted or rejected from the Register or Lists by the erroneous decision of the said Barrister, after his making inquiry into such vote in open Court; and it shall not be lawful for the said Committee to inquire into the goodness or badness of any vote, which shall not have previously been objected to or claimed to be good before such Barrister; and it shall not be lawful for the said Committee to inquire into and decide upon the right to vote of any Person who being upon such Register, shall have voted in such Election, in so far as the same may be disputed on the ground of personal or other incapacity at the time of his voting, which may have arisen subsequently to the *Thirty-first day of July* next preceding the formation of the Register of Voters in force at the time of such Election, or on the ground of his not having at the time of his voting the same qualification for which his name was originally inserted in the said Register, or the same place of abode as described therein; but except in such cases as aforesaid, the Register of Voters in force at the time of such Election, shall be final and conclusive, to all intents and purposes, as to the right to vote of every Person who shall be on the Register of Electors for the time being.

4. As to time of Payment of Scot and Lot.

And be it Enacted, That where any Person had at the passing of the said recited Act, a right to vote in the Election of a Member or Members for any City or Borough in virtue of any other qualification than as a Burgess or Freeman or as a Freeman and Liveryman, or in case of a city or borough being a county of itself, as a Freeholder or Burgage Tenant, and such right was reserved by the said recited Act, and under such right the payment of any rates or taxes forms a part of the qualification, it shall be sufficient if the Person so retaining such right shall have paid on or before the *Twentieth day of July* in every year, all the rates and taxes which shall have become payable from him previous to the *Sixth day of April* then preceding; and he shall thereupon be entitled to be registered as fully and effectually as if all rates and taxes had been paid up to the *Thirty-first day of July* in every year.

5. Right of Trustees to vote.

AND whereas it was by the said recited Act enacted, that no Person should be allowed to have a vote in the Election of a Knight of the Shire for or by reason of any trust estate or mortgage, unless such Trustee or Mortgagee were in actual possession or receipt of the rents and profits of the same estate: AND whereas doubts have arisen as to the true intent and meaning of such last-mentioned enactment; BE it therefore Declared and Enacted, That no such Trustee

Trustee or Mortgagee shall vote in any such election, unless he be in actual possession or receipt of the rents and profits of the same estate to his own use.

6. As to Occupancy of any Tenement jointly with other Tenements.

AND whereas in and by the said recited Act it was enacted, that in every city or borough which should return a Member or Members to serve in any future Parliament, every male Person of full age, and not subject to any legal incapacity, who should occupy within such city or borough, or within any place sharing in the election of such city or borough, as owner or tenant, any house, warehouse, counting-house, shop or other building, being either separately or jointly with any land within such city, borough or place occupied therewith by him as tenant under the same landlord, of the clear yearly value of not less than Ten Pounds, should if duly registered according to the provisions thereinafter contained, be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such city or borough: AND whereas it was also enacted and provided, in and by the said recited Act, that no such Person should be registered in any year unless he should have paid, on or before the Twentieth day of July in such year, all the Poor's Rates and Assessed Taxes which should have become payable from him in respect of such premises, previously to the Sixth day of April then next preceding: AND whereas doubts have arisen as to the construction and meaning of certain parts of the said enactments; BE it therefore Declared and Enacted, That the occupation of any house, warehouse, counting-house, shop or other building, jointly with any other warehouse, counting-house, shop or other building, or with any number or combination of such premises, shall be deemed to be within the true intent and meaning of the said enactment.

7. Tenement occupied with Land, must be of 5*l.* clear yearly value.

And be it also Enacted, That no Person who shall occupy within any city or borough, any building, not being a house, warehouse, counting-house or shop jointly with any land, shall be entitled to be inserted in the Register of Electors for any city or borough, in respect of the occupation of such premises, unless such building, when taken separately from such land, shall be of the clear yearly value of not less than *Five* Pounds.

8. As to payment of Poor's Rate and Assessed Taxes.

And be it also Enacted, (as to the payment of the Poor's Rates and Assessed Taxes, so required to be paid as aforesaid,) That every Person so occupying such premises, may and shall be registered in any year if he shall have paid, on or before the *Twentieth day of July* in that year, all the Poor's Rates and Assessed Taxes which shall have been payable from him in respect of such premises, during the *Nine* calendar Months next before the *Sixth day of April* in that year.

AND

AND whereas doubts have arisen whether, in order to entitle any person to be placed on the Register of Electors for the Boroughs of New Shoreham, of Cricklade, Aylesbury and of East Retford, it be necessary that the same should be assessed to the Land Tax; BE it therefore Enacted, That in order to entitle any Person to vote in the Election of a Member to serve in Parliament, in respect of any freehold messuages, lands or tenements, situate within the Boroughs of New Shoreham, Cricklade, East Retford or Aylesbury respectively, it shall not be necessary that the same be assessed to the Land Tax, any statute to the contrary notwithstanding.

9. New Shoreham, Electors not assessed to Land Tax may vote.

AND whereas it is by the said recited Act enacted, that every male Person of full age and not subject to any legal incapacity, who shall occupy as tenant any lands or tenements, for which he shall be bonâ fide liable to a yearly rent of not less than Fifty Pounds, shall be entitled to be inserted in the Register of Electors for the county in which such lands or tenements shall be situated: AND whereas doubts have arisen in the case of such lands or tenements being jointly occupied by more Persons than one, in partnership with each other, as to the right of such joint occupiers to be inserted in the Register of Electors; BE it therefore Enacted, That each of such joint occupiers shall have the right of voting, only in the case that the clear yearly rent shall be of such an amount beyond *Fifty* Pounds, that when divided by the number of occupiers, the quotient shall be a sum of not less than *Fifty* Pounds for each and every such occupier, and not otherwise.

10. Joint Occupiers may vote if rent be equal to 50*l.*

Final Register of Electors.

A

B I L L

To render the Register of Electors final.

(*Prepared and brought in by*
Mr. Elphinstone, Mr. Hume and Mr. Aglionby.)

Ordered, by The House of Commons, *to be Printed,*
9 *February* 1836.

(Ireland.)

A

B I L L

To amend the Law relative to the Registration of Votes in Ireland, and to taking the Poll at Elections in that part of the United Kingdom.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

Preamble.

WHEREAS Difficulties have arisen from the present mode of ascertaining the Qualification of Persons entitled to vote at the Election of Members to serve in Parliament for Ireland; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT notwithstanding any law now in force in Ireland, no Person whatever shall, after the *First* day of *July* next, be entitled or permitted to vote in the Election of any Member to serve in Parliament for any county, city, town or borough in Ireland, the borough of the University of Dublin only excepted, unless he shall have been duly registered according to the provisions of this Act; and that from and after the said *First* day of *July*, any Registry not made under the provisions of this Act shall be null and void and of no effect; and that no Sheriff or other Returning Officer in Ireland shall, after the said *First* day of *July* next, receive or place on the poll the vote of any person by reason of any right, qualification, certificate or registry whatsoever, unless such person shall have been duly registered pursuant to this Act.

1. After first of July next, no Person shall have the right of voting in any place in Ireland (except the University of Dublin) unless registered according to this Act, &c.

2. Clerk of Peace for each County, shall, on or before the of

And be it further Enacted, That for the purpose of forming a register of all persons entitled to vote at the Election of a Knight or Knights of the Shire to serve in Parliament for any county in Ireland,

in every year, deliver to Collector of Grand Jury Cess an Alphabetical List of Registered Voters, and Claimants to register for such County.

the Clerk of the Peace of each county in Ireland shall, on or before the day of in the present year, deliver to the collector of the Grand Jury cess of each barony or half barony in his county a correct alphabetical list of the names of every person who shall be then registered, or who shall have served a notice on him of his intention to claim to be entitled to register, as a person entitled to vote at the Election of a Knight of the Shire to serve in Parliament for such county in respect of any property situate wholly or in part in such barony or half barony, or any qualification arising from or out of such property, and whose name shall not have been ordered by a Committee of the House of Commons to be struck off the poll, and shall in like manner deliver to such collector, on or before the *Fifth* day of *May* in every succeeding year, a like list of the names of every person whose name shall appear on the revised Register hereinafter mentioned, made at the then last Revising Sessions, or who shall have served notice on him as hereinafter directed of his intention to claim to be entitled to register as a person entitled to vote at the Election of a Knight of the Shire to serve in Parliament for any county in Ireland, in respect of any property situate wholly or in part in such barony or half barony, or any qualification arising from or out of such property.

3. Any Person unregistered on fifth April in any year, and claiming to register as a Voter for any County, shall, in give to Clerk of Peace or Collector of Cess a Notice of intention to register, and an Alphabetical List of such Voters and Claimants shall be made and published by such Collector before 10th May in each Year.

And be it further Enacted, That every Person who shall not be registered as a voter on the *Fifth* day of *April* in this or any succeeding year, and who shall claim a right to register as a person entitled to vote at the Election of a Knight of the Shire to serve in Parliament for any county in Ireland, for or in respect of any property situate wholly or in part in any barony or half barony in such county, or any qualification arising from or out of such property, shall, on some day in the month of next, or on some day in the month of *April* in any succeeding year, such day not being Sunday, deliver or cause to be delivered to the Clerk of the Peace of the county, or to the Collector of the Cess of such barony or half barony, or leave at the usual place of abode of such Collector, or the office of such Clerk of the Peace, a notice in writing of such his intention, stating his name and residence, the right in which he intends to apply, and the nature of the qualification relied on by him as entitling him to be registered; and such Collector shall before the day of next, and before the *Tenth* day of *May* in every succeeding year, make out an alphabetical List, including the names of the persons named in the List furnished to him by the Clerk of the Peace, and the names of the persons so claiming to be registered who have served notice on him of their intention to claim, and shall, within such period as aforesaid, cause a copy thereof to be fixed on or near the door of every church and chapel within his barony or half barony, and shall also cause a copy thereof to be deposited with the Clerk of each Petty Sessions, in case there shall be any such Clerk in such barony or half barony, and another

Copy of such List to be deposited with Clerk of Session, and Clerk of the Peace.

copy

copy thereof to be deposited with the Clerk of the Peace of such county, and in the List to be furnished by the Clerk of the Peace to the Collector and in the List so to be printed the christian name and surname of every person so claiming to be entitled to register, and the place of his abode, shall be written or printed at full length, and the nature of his qualification shall be accurately stated according to the description thereof in his notice.

4. Such Collector shall notify in List any Voters who have died or become disqualified.

And be it further Enacted, That in case such Collector of Grand Jury Cess shall know or believe that any person whose name is mentioned in the List so furnished to him by the Clerk of the Peace has died, or has ceased to hold the property or qualification in respect whereof he was admitted to register, he shall state in a separate column on each of the said Lists so directed to be made out by him the fact of such death, or the determination of such qualification, and the Clerk of the Peace shall carefully preserve the copies of such List so directed to be lodged with him, and shall allow any person or persons who may require so to do to inspect the said Lists or any of them during the hours for which his office is by law to be kept open, and shall furnish to any person or persons who may require the same a copy thereof, or of any portion thereof, on being paid for the same the sum of *One* Shilling.

Copy of List to be open for inspection at Office of Clerk of the Peace.

5. Town Clerk and Clerks of Peace having custody of Affidavits relating to Registry of Voters for any City, Town or Borough, shall, on 10th May in each Year, publish an Alphabetical List of such Voters and Claimants to vote for such City, Town or Borough.

And be it further Enacted, That the respective Town Clerks of the cities of Dublin, Limerick, Waterford, Londonderry and Kilkenny, and the Town Clerk of any other city, town or borough in Ireland entitled to return a Member or Members to serve in Parliament, having the custody of the affidavits relating to the Registry of Voters for such city, town or borough, and every Clerk of the Peace of any county in Ireland, in which a borough having the right to return a Member to serve in Parliament is situated, or of any city or town in Ireland, who, as such Clerk of the Peace, has or shall have the custody of the affidavits relating to the Registry of Voters for such borough, shall on the *Tenth* day of *May* next cause to be posted on or near the door of every church and chapel in such city, town or borough an alphabetical List of the names of every person who shall be then registered as entitled to vote at an Election of a Member or Members to serve in Parliament for such city, town or borough, and whose names shall not have been ordered by a Committee of the House of Commons to be struck off the poll, and of every person who shall have served notice on such Town Clerk or Clerk of the Peace respectively before the *First* day of next of his intention to claim to be entitled to register; and shall on the *Tenth* day of *May* in every succeeding year, in case such day shall not fall on a Sunday, and in that case on the *Eleventh* day of *May*, cause to be posted at or near the door of every church and chapel in such city, town or borough an alphabetical List of the names of every

person whose name shall appear on the Register hereinafter mentioned, made at the then last Revising Sessions for such city, town or borough as a person entitled to vote at an election for such city, town or borough, and of every person who shall have served notice on such Town Clerk or Clerk of the Peace respectively before the *First* day of *May* then last of his intention to claim to be entitled to register; and shall also cause copies thereof to be delivered to the churchwardens of each parish within such city, town or borough, and shall cause copies to be posted on the Sessions House and Market House, if any, within such city, town or borough, and such other conspicuous and public places within such city, town or borough respectively as he may think fit; and in such List the christian name and surname of every person claiming to register, and the place of his abode, shall be written or printed at full length, and the nature of his qualification shall be accurately stated according to the description thereof in his notice; and a copy of such List shall be kept in the office of such Town Clerk and Clerk of the Peace; and such Town Clerk and Clerk of the Peace shall allow any person or persons who shall require so to do to inspect said Lists or any of them during any of the hours for which his office is by law required to be kept open or shall be open, and shall furnish to any person or persons who shall require the same, a copy of such List or of any portion thereof, on being paid for the same the sum of *One* Shilling: Provided always, however, That after the formation of the register, to be made as in this Act mentioned, no person whose name shall be on such register for the time being shall be required to make any such claim as aforesaid so long as he shall retain the qualification in respect whereof he was registered; and that no person who on the *First* of next shall be a registered Voter for any county, city, town or borough, according to the laws now in force, shall be required to make any such claim; but every person, whether so registered, or whose name shall appear on said register, shall be at liberty, if he shall think fit, to serve such notice, claiming to be entitled to register in such right as he may think proper.

Copy of such List to be deposited in the Office of Town Clerk and Clerk of Peace, and open for inspection.

When Registry shall be formed, no Voter thereon, &c. shall be required to claim so long as he shall retain the Qualification in respect whereof he shall be registered, &c.

6. Compensation to Assistant Barristers under 3 & 4 W.4. c.88. s. 67. to cease.

AND whereas, by an Act passed in the second and third years of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People of Ireland," it is declared, that in order to provide a remuneration for the Assistant Barristers or Chairman for the additional labour imposed on them by said Act, it should be lawful for the Lord Lieutenant, or other Chief Governor or Governors of Ireland, to direct that the said Assistant Barristers and Chairman should be paid, in addition to the salaries then receivable by them, such yearly sum, not exceeding in any case the sum of *One hundred* Pounds, at the discretion of the Lord Lieutenant or other Chief Governor or Governors, as he or they should by warrant under his or their hand direct,

direct, such additional salaries to be payable at the time, and in the same manner, as to salaries of said Barrister were then payable: AND whereas, the said Assistant Barristers and Chairman will, under the provisions of this Act, cease to discharge the duties imposed on them by the said recited Act; BE it further Enacted, That from and after the *First* day of next, the said additional salary shall not be payable to any Assistant Barrister or Chairman, or any Deputy; and that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, by warrant, under his or their hand or hands, from time to time, to nominate and appoint *Eleven* practising Barristers, admited to the degree of Barrister in Ireland, at least *Five* Years before such appointment, to be Revising Barristers, for the purpose of revising the said Lists in the manner hereinafter mentioned; and none of such Barristers shall be capable of being so appointed, unless he shall have practised as a Barrister for *Five* Years; and each of such Barristers shall not, so long as he shall hold such office, or for *Seven* years after he shall cease to hold it, be capable of being elected as a Member to serve in Parliament for any county, city, town or borough in which he shall have exercised jurisdiction under this Act as such Revising Barrister.

Lord Lieutenant may appoint Barristers of not less than Five Years' standing to revise Lists, &c.

7. And be it further Enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of Ireland from time to time, to divide the several counties, cities, towns and boroughs in Ireland, into Circuits or Districts, for the purposes of this Act, and to change or alter such division, and to appoint as many places in each county or city, as he or they may think expedient, for holding Special Sessions, for the purpose of revising the said Lists, and to direct such of the said Barristers as he may think proper, to proceed on such Circuit or District, and to attend at said places or any other for that purpose, and such Barristers shall, and they are hereby required, to attend accordingly, at such time and place as shall be so appointed for the purpose aforesaid; and notice of the divisions of said counties and cities into Circuits or Districts, and of the appointment of the places for holding such sessions in each county, city, town and borough, and of the time of holding such sessions at each place, shall be published in the Dublin Gazette, before the *Fifth* day of *May* in each year; and a copy of such Gazette shall be transmitted to every Clerk of the Peace in Ireland, and to every Town Clerk in Ireland, having the custody of the affidavits relating to the Registry of Voters, in any city, town or borough; and such Clerk of the Peace shall, before the *Fifteenth* day of *May* in each year, cause so much of such notice as relates to the holding of sessions in the county of which he is Clerk of the Peace, or any borough therein, to be published *Three* times in some newspaper published in such county, and shall cause copies thereof to be posted in the same places, in each borough

Lord Lieutenant may divide Counties, &c. into Districts, and appoint places therein for holding Special Sessions for revising said Lists.

Notice thereof to be published in Dublin Gazette and in a Newspaper published in such County, &c., and to be posted.

in which he is required to post said List of Voters, and shall deliver a copy thereof to each Collector of Grand Jury Cess in his county; and such Collector shall, within *Three* Days after receiving the same, cause a copy thereof to be posted on or near the door of every church and chapel in his barony; and every such Town Clerk shall, before the *Fifteenth* of *May*, in every year, cause so much thereof as relates to holding Sessions in his city, town, or borough, to be published *Three* times in some newspaper published in such city, town or borough, if any such is published therein, and if not, in the newspaper published nearest to such city, town or borough, and shall cause copies thereof to be posted at the several places in such city, town or borough in which he is required, as aforesaid, to post the Lists of Voters.

8. Revising Barrister shall attend at such places, and investigate Claims to register.

Clerk of Peace, Town Clerk, or Deputy and Collector of Cess shall attend thereat with Lists.

And be it further Enacted, That the Revising Barrister shall attend at the several places in each county, city, town or borough so to be appointed at the times mentioned in such notice; and that the Clerk of the Peace and Town Clerk respectively, or a sufficient Deputy by him appointed for that purpose, shall also attend thereat; and the Clerk of the Peace shall bring with him one of the Lists so deposited with him by the Collector of Grand Jury Cess; and the said Collector shall also attend at said Sessions, and the Town Clerks and Clerks of the Peace shall bring with them the Lists which they are respectively required to make out in relation to Voters in cities, towns and boroughs; and the said Revising Barrister shall at the time mentioned in said notice proceed in open Court to examine into the right of the persons so claiming to be registered to have their names added to the Register; and the Clerk of the Peace or Town Clerk, or his Deputy, shall call the names of such claimants as entered in such alphabetical List, and the names of all persons who do not appear when first called, shall be called at least *Three* times, and the said Revising Barrister shall proceed to register such claimants, or to reject their claim in the manner required by said recited Act, passed in the second and third years of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People of Ireland," save so far as any of the provisions of such Act are altered by this Act.

2 & 3 W. 4. c. 88.

9. Revising Barrister shall examine Objections to Qualification of Voters occurring since former Revision.

And be it further Enacted, That the said Revising Barrister shall also revise the List of the Names of the persons now registered, or who shall appear on the Register hereby directed to be kept, as having been registered by the Revising Barrister under this Act, and shall examine into any objection which may be made to the right of any such person to have his name continued on such Register, provided it shall appear to such Barrister that such objection is founded on some matter respecting the qualification of such Voter, which occurred since the former revision or registry, and that a Notice in writing was served on such Voter, or left for him at his place of abode, as mentioned in the

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the Register, by or on behalf of the person so objecting, *Six* Days at the least before the first day of holding such Session, stating the nature of such objection, and that it would be insisted on before such Revising Barrister, but not otherwise: And provided further, That such Barrister shall not be at liberty to attend to or allow any objection whatsoever, which existed or might have been made to such Voter at any prior Registry or Revising Session.

10. Collector of Municipal Taxes shall attend at such Sessions, and produce Books, &c. showing Sums assessed in any City, Town, or Borough, and Persons liable to pay the same. Defaulters for more than Six Months to be struck off the Register, &c.

And be it further Enacted, That the Collector of every municipal charge, rate or cess, payable in any city, town or borough, for which any such Revising Session shall be held, shall and is hereby required to attend before the Revising Barrister at such Sessions, and to produce, when required by such Barrister or any registered Voter, all books, vouchers and documents in his possession, showing the amount of the sums assessed for such rates, charges and cesses on any premises within such city, town or borough, and the persons liable to pay the same, or the payment thereof; and if it shall appear to any Revising Barrister at any such Session that any registered Voter, or any person claiming to be registered as a Voter for such city, town or borough, owes any Grand Jury or Municipal Cesses, rates or taxes, which were imposed on and made payable by him more than *Six* Months before the first day of such Sessions, and which shall have been demanded from him; and that such notice as aforesaid of an objection on that account to his right to be registered as a Voter has been served, it shall and may be lawful for the said Barrister, and he is hereby required to strike the name of such Voter off the Register, or to refuse to admit his claim as a Voter, as the case may be.

11. Revising Barrister to strike the Names of Voters dying or becoming disqualified off the Register.

And be it further Enacted, That if it shall appear to such Revising Barrister at the first Sessions under this Act, that any person heretofore duly registered has been deprived of or has parted with the property or other qualification, in respect whereof he was registered since he was so registered, or if it shall appear that he was admitted to register as a freeman, without making an affidavit stating that he resided in the city, town or borough for which he claimed to register, or within *Seven* Miles thereof, or by virtue of a freehold not situated in the borough, or has been disqualified by holding or accepting any office, or if at any future Session it shall appear that any person whose name appears on the then last register as a person entitled to vote, has been deprived of or has parted with the property or other qualification in respect whereof he was so placed on the Register since he was so placed thereon, or has become disqualified by holding or accepting any office, and that in each case such notice as aforesaid was served, stating that such objection would be insisted on before him, it shall be lawful for the said Revising Barrister to strike his name out of the List of registered Voters; but such person may at that or any other Sessions

Not to prejudice Claims to register in

respect of any other Qualification.

sions be registered as a Voter in respect of any other qualification on giving due notice of his claim to register, and in like manner such Revising Barrister may strike out of such Register the name of any person who has died since he was registered.

12 Revising Barrister shall cause corrected List, certified by his Signature, to be preserved among Records of County, and Clerk of the Peace or Town Clerk shall cause a general Registry of Voters to be made therefrom and published within Six Days after the Revising Session.

And be it further Enacted, That the said Revising Barrister shall, after having so examined the List of Voters and persons claiming to vote, strike out of such List the names of such persons as he shall not consider entitled to be placed or remain thereon, and shall cause a fair copy of such corrected List to be made out by the Clerk of the Peace or Town Clerk or his Deputy, and shall sign such copy as well as the original corrected List, and return the same to the Clerk of the Peace or Town Clerk, who shall carefully preserve the same among the Records of the county, city, town or borough; and said Revising Barrister shall certify at the bottom of such List that he revised the same at such time and place as he may have done so, and shall state the number of Voters thereby appearing to be registered; and so soon as the several Sessions in each county, city, town or borough shall have concluded, the Clerk of the Peace or Town Clerk, as the case may be, shall cause one general Register of all the persons whose names appear on such revised Lists respectively as persons entitled to vote to be made out, in which the names shall be entered in alphabetical order and numbered, and in counties distinguishing the Voters in each barony or half barony, and such Register shall be signed by the Clerk of the Peace or Town Clerk respectively; and the Clerk of the Peace shall, within *Six* Days after the last day of holding any Revising Session in his county, cause the Register for the County to be printed, and shall cause copies thereof to be posted in some conspicuous places within each borough and market town in said county, and shall transmit ten copies of so much thereof as relates to each barony or half barony to the Collector of Grand Jury Cess of such barony or half barony, who shall cause the same to be posted at or near the door of each church and chapel in his barony or half barony; and such Clerk of the Peace shall give, on demand, to any person who shall demand the same, a copy of such printed List or any part thereof, on being paid the sum of *One* Shilling for the same; and the said Clerk of the Peace shall, within *Six* Days after the termination of any Revising Sessions for any borough in his county at which he is as aforesaid required to attend, and respecting which he is required to make out Lists, and the Town Clerk of each city, town or borough who is as aforesaid required to make out a List of Voters and attend at such Sessions shall, within *Six* Days after the termination of such Revising Session for his city, town or borough, cause such corrected Register to be printed; and such Clerk of the Peace and Town Clerk respectively shall cause copies of such corrected Register, signed by them respectively, to be posted at or near the door of every church

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and chapel within such city, town or borough, and at such other places as they respectively are required to post the Lists of the Voters, and shall furnish, on demand, to any person or persons who shall require the same, a copy of such corrected Register or any part thereof, on being paid the sum of *One* Shilling for the same.

13. No Person allowed to object to Voter or Claimant, or to appeal against Decision of Revising Barrister, who shall not be himself a Voter.

And be it further Enacted, That no Person shall be received or allowed to object to any voter or person claiming to vote, or to appeal against any decision of such Revising Barrister, who shall not be himself a registered voter for the county, city, town or borough, or some counsel or agent duly authorized by him; and it shall and may be lawful for any such Revising Barrister, if he shall think fit, and for any Judge of Assize, on any appeal to him, to award such sum, not exceeding *Forty* Shillings, as he shall think fit, as costs to the person whose vote had been objected to, and to direct such costs to be paid by the person so objecting; and such Barrister and Judge shall have power and are hereby respectively authorized to issue a Decree for payment of such costs, which shall have the same force and be executed in the same manner as any Decree of any Assistant Barrister or Judge of Assize on the hearing of a civil bill or an appeal from the decision of an Assistant Barrister.

Costs may be awarded to Voter or Claimant, to be paid by Person objecting or appealing.

14. Revising Session shall commence on 20th May and terminate on 1st July in each Year, unless Lord Lieutenant shall direct its further Continuation.

And be it further Enacted, That each circuit of such Revising Barrister shall commence on the *Twentieth* day of *May* in each year, unless such day shall happen to be Sunday, and then on the next day, and shall terminate on or before the *First* day of *July* in each year, unless the Lord Lieutenant or other Chief Governor or Governors shall, for any special reason to be specified in the order for that purpose, direct the Revising Session for any place or places to be continued beyond that day; and the Revising Barrister shall have power, in case any exigency shall render it necessary so to do, to adjourn any such Session to any day within such period, and to proceed to revise such List at such adjourned Sessions; and he shall, at the time of making such adjournment, deposit with the Clerk of the Peace a statement in writing signed by him, specifying such exigency and the reasons for such adjournment.

15. Persons duly registered under this Act shall be entitled to vote at any Election held before the first July in the next succeeding year, or at which Polling shall have commenced before that day, unless

And be it further Enacted, That every person whose name shall be entered on said corrected Register at any Session under this Act shall be thereupon forthwith entitled to vote at any Election to be held for the county, city, town or borough for which such voter shall be registered at any time before the *First* of *July* in the next succeeding year, or at which the polling shall have commenced before that day, unless his name shall have been in the meantime struck off the Register by a Revising Barrister at a Sessions held under this Act, or by a Judge of Assize on an appeal as herein directed, or by an Order of a Committee

previously disentitled by Revising Barrister, &c.

mittee of the House of Commons; and the right of such person to vote at such Election shall not be questioned or examined by the Returning Officer, save as hereinafter mentioned, nor shall his right to be a registered Voter for such period be in any manner questioned: Provided always, however, That if such Voter shall, after such Registry, become, by any matter or thing occurring subsequent to such Registry, disqualified from voting at an Election of a Member to serve in Parliament, or if he shall, after such Registry, have lost or been deprived of or parted with the qualification in respect whereof he was registered, it shall and may be lawful for any Committee of the House of Commons, or any tribunal appointed to try the merits of any petition complaining of an undue Return at an Election at which such Voter shall have polled, to strike his name off the poll; but such Committee or tribunal shall not inquire as to his right to be registered or placed on the Register.

16. Salary of Revising Barristers 300*l.* a year.

And be it further Enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, by warrant under his or their hand or hands, to order and direct that a sum not exceeding the sum of *Three hundred* Pounds per annum shall be paid out of the *Consolidated Fund* to each of such Revising Barristers as and for his Salary, and in lieu of all expenses to be incurred by him in travelling or otherwise in discharging the duties of his said office, and such Salary shall be payable on the *First* day of *August* in every year to the Revising Barrister who may have gone the next preceding Circuit, or his representatives; and in case any of such Revising Barristers shall die during any such Circuit the said salary shall be apportioned between his representatives and the person who shall succeed him, or the person who shall have performed the duties of such deceased Barrister, in such manner as the Lord Lieutenant or other Chief Governor or Governors of Ireland shall think fit.

17. In case of illness of Revising Barrister, Lord Lieutenant may appoint a locum tenens.

And be it further Enacted, That in case any of the said Revising Barristers shall be at any time prevented by illness, or any other sufficient cause, from going or proceeding on any such Circuit, or any part thereof, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, by warrant under his or their hand or hands, to appoint some other practising Barrister or Barristers of like standing at the bar to proceed in the place of the person or persons so incapable of proceeding on such Circuit; and such newly-appointed Barrister shall have the same powers in all respects as the person or persons in whose stead or place he or they may have been appointed, and his appointment shall be in force during the whole of such Circuit, or until the Lord Lieutenant or other Chief Governor or Governors of Ireland shall revoke the same; and the said Barrister or Barristers shall be entitled to and receive for such Circuit or the portion thereof

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thereof which he shall proceed on the salary payable to the Revising Barrister in whose place he shall have been appointed, or such portion thereof as the Lord Lieutenant or other Governor or Governors of Ireland shall direct by warrant under his or their hand or hands; and the residue, if any, shall be paid to the said Revising Barrister so incapable of proceeding on said Circuit.

18. If Revising Barrister shall die, &c. during the Session, the same shall be adjourned for not exceeding One Week, and Notice thereof transmitted to Lord Lieutenant, who may appoint another Barrister or Revising Barrister to proceed thereto.

And be it further Enacted, That in case any of the said Revising Barristers shall die after he shall have proceeded on any of said Circuits, and before the same be concluded, or shall become incapable from illness of proceeding on such Circuit, and in case, in consequence thereof, or from any other cause, the Revising Barrister shall not attend at the places mentioned in the notice hereinbefore directed for the purpose of revising such List, the Clerk of the Peace or Town Clerk, or his Deputy attending such Session, shall and may, and he is hereby required to adjourn every such Session for any time not exceeding *One* Week, and to immediately transmit to the Lord Lieutenant or other Chief Governor or Governors of Ireland, a statement in writing, signed by him, stating such adjournment, and the cause thereof; in case such Lord Lieutenant or other chief Governor or Governors shall direct or appoint any other Revising Barrister or any other Barrister to proceed to such adjourned Sessions, the several proceedings hereinbefore mentioned and directed to be taken at the original Sessions shall be had at such adjourned Sessions, and shall be as valid and effectual to all intents and purposes as if done at said original Sessions; and the Clerk of the Peace or Town Clerk shall immediately after such adjournment cause notice of such adjournment and the cause thereof to be published in some newspaper published in or near the county, town or borough for which such Sessions was to be held, and shall also cause copies thereof to be posted at or near the door of every church and chapel within the district in which such adjourned Sessions is to be held, and on such other places as he is hereinbefore directed to post the List of Voters for such district.

19. If no Revising Barrister attend at such adjourned Session, the same shall be adjourned to the next Revising Session for such County, &c., or if in Dublin, then to the next Commission of Gaol Delivery.

And be it further Enacted, That in case no Revising Barrister shall attend at any such adjourned Session, the same shall and they are hereby declared to be adjourned without any further act or order for that purpose to the next Assizes for the county, city or town for which the Register at such Assizes was to be made, and if such Assizes shall be in the county or city of Dublin, then to the next Commission of Gaol Delivery for such county or city held before *One* or more of the Judges of the superior Courts in Dublin; and the Judge of Assizes at such Assizes or Commission shall act as the Revising Barrister at such Sessions, and proceed in the manner directed by this Act to correct and make out such Register, and shall sign the same, and do all acts in relation thereto which the said Revising Barrister is

required to do, and shall have all such powers as such Barrister had in relation to such List, and his decision shall be to all intents and purposes of the same effect as that of the Revising Barrister, save only that there shall not be any appeal from the same to any Judge of Assize.

20. Persons objecting to Right of any Person to vote may appeal to next going Judges of Assize.

And be it further Enacted, That in case any of the said Revising Barristers shall place on the Register the name of any person whose right to vote has been objected to before him, it shall be lawful for the person by whom such objection has been made to appeal from such decision to the next going Judges of Assize for the county, city or town for which such person has been so admitted as a Voter, except in the case of an objection to a Voter registered at a Revising Session in the city or county of Dublin; and notice of such appeal, stating the objection to such Vote as mentioned in the previous notice of objection, and none other, shall be served on the Clerk of the Peace or Town Clerk within *Four* Days after the termination of such Revising Session, and a like notice shall be served on the Voter whose Vote is objected to, or left at his usual place of abode within *Four* Days after the termination of such Session; and the Judges of Assize shall, on due proof of the service of such notices, and on its appearing that such Vote was objected to before the Revising Barrister, but not otherwise, investigate the right of such person to be admitted to register in the same manner as he is by the said recited Act of the second and third year of the reign of His present Majesty directed to investigate the claim of a person against whose claim an order was made by the Registering Barrister, save that no Jury shall be impanneled on such appeal; and such Judge of Assize shall, if he shall so think fit, correct the Register by striking out of the same the name of the person so objected to.

21. When Revising Barristers shall strike Names off Register or reject Claims, they shall set forth the reason thereof in a Book.

And be it further Enacted, That the said Revising Barristers respectively shall, in case they shall strike the name of any Voter out of the Register, or refuse to admit the claim of any person to register as a Voter, make an entry in a book to be for that purpose kept by every Clerk of the Peace and Town Clerk, stating his reason for striking such name out of the Register or rejecting such claim, and shall at the termination of each Revising Session sign his name in such book at the foot of the List of such rejected claimants and persons whose names are so struck off, and state the number of such persons; and every person whose name shall be so struck off, or whose claim shall be so rejected, shall and may appeal from such decision of the Revising Barrister to the next going Judges of Assize for the county, city or town for which such person shall claim to be a Voter, except in the case of a register of a claim to vote or of a registered Voter at a Revising Session in the city or county of Dublin, on giving notice of

Persons whose Names may be so struck off and Claimants rejected, may appeal in like manner.

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his intention to appeal to the Clerk of the Peace or Town Clerk within *Four* Days after the termination of the Revising Session; and such Judge of Assize shall at the next Assizes after such Sessions and they are hereby required to hear and determine such appeal in the manner in which they are by said recited Act directed to determine appeals from the decisions of Registering Barristers rejecting the claim of a person claiming to be entitled to vote, and the Judge who shall hear such appeal shall amend the Register, if he shall think any of such persons entitled to be registered as a Voter, by inserting the name of such person therein; and every Clerk of the Peace, Town Clerk and other Officer who is required to attend at the Revising Sessions shall attend the said Court of the Assizes on the hearing of such appeals, and bring with them the said Register, and every book and List of Voters required to be produced or to be at the Revising Sessions.

22. Individuals may appeal against Decisions of Revising Barristers to Superior Law Courts in Dublin.

And be it further Enacted, That in case any Revising Barrister shall, at any Revising Sessions for the county of the city of Dublin or the county of Dublin, place on the Register the name of any person whose right to vote has been objected to before him, or strike the name of any Voter out of the Register, or refuse to admit the claim of any person to register as a Voter, it shall and may be lawful for the person by whom such objection to the Voter may have been made, and the person whose name has been struck off the Register or claim to vote rejected, as the case may be, to appeal from the decision of such Revising Barrister to any of the courts of King's Bench, Common Pleas or Exchequer in Dublin, at Nisi Prius, at the sittings for the city or county of Dublin, next after such order made; and service of the notice of such appeal on the Voter or person claiming to vote, and on the Town Clerk or Clerk of the Peace, *Two* Days before the day for hearing such appeal, shall be sufficient notice thereof; and the several Judges of such Courts are hereby required to hear and determine such appeals before the *Fifth* day of *March* in each year, in the same manner as they are authorized to hear and determine appeals from decrees made from the decisions of Registering Barristers, by, to and in part recited Act of the second and third years of His present Majesty, save that no jury shall be impanneled on such appeal, and to amend the Register, if necessary, and do all other acts which the Judges of Assize are hereby empowered to do on an appeal to them; and every person who is hereby required to attend at such Revising Session shall and he is hereby required to attend before such Judge on the hearing of such appeal, and produce before him all books, lists, vouchers, and other documents which he is required to produce at such Sessions.

23. A List of Names of Persons appealing to be published and posted.

And be it further Enacted, That every Clerk of the Peace and Town Clerk shall, within *Six* Days after the termination of the Revising Session, cause to be published in such newspaper as aforesaid a List of the names of the persons so appealing against any order, striking their names out of the Register, or disallowing the claim to vote, and also of those whose right to vote has been admitted by the Revising Barrister, but against whose right to vote notice of an appeal has been lodged with him as aforesaid; and shall cause copies of such Lists to be posted within *Six* Days on the places hereinbefore mentioned for posting the List of Voters, and shall keep a correct Copy of such List in his office, and allow any person or persons who may require so to do to inspect the same during any of the hours for which his office is to be or shall be open; and shall, on demand, furnish to every person who shall demand the same a copy of such list, or any portion thereof, on being paid the sum of *One* Shilling for the same.

24. Clerk of Peace and Town Clerk shall annex to List of Voters, &c. to be produced at Revising Session, a Certificate in Form in Schedule, &c.

And be it further Enacted, That every Clerk of the Peace and Town Clerk shall sign at the bottom of the List of Voters and Claimants, which he is hereby required to produce before the Revising Barrister at each Revising Session, a Certificate in the form mentioned in the Schedule Number 1. to this Act annexed; and that he shall not directly or indirectly ask, demand or receive from any person or persons claiming to be registered as a Voter or Voters any sum of money, or any payment whatsoever, save those mentioned in this Act or any Act now in force, for or on account of any of the matters or things directed to be done by him, on pain of forfeiting for such offence the sum of *One hundred* Pounds to any person who will sue for the same.

25. Law in force as to Registry of Voters to continue, save as by this Act altered.

And be it further Enacted, That every law now in force relating to the Registry of Voters in Ireland shall continue in force, save so far as they are altered by this Act, or are inconsistent with the provisions thereof; and that every Revising Barrister appointed as aforesaid shall have power to administer an oath, or, in the case of a Quaker or Moravian an affirmation, to all persons making objection to the insertion or omission of any name in any such List as aforesaid, and to all persons objected to claiming to be inserted in any such List, and to all witnesses who may be tendered on either side; and that if any person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such person shall be deemed guilty of Perjury, and shall be punished accordingly; and that every Revising Barrister appointed as aforesaid shall have, as far as respects the execution of this Act, the same powers that were heretofore exercised by the Assistant Barristers in respect of the Registration of Voters under the Act of the fourth year of His present Majesty, so far as they are not inconsistent with the provisions of this Act: Provided always, That at the holding of the Courts of the Revising Barristers as aforesaid, the parties shall not be attended by Counsel.

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26. Persons struck off Register, or Claimants rejected, may apply to register notwithstanding at any subsequent Revising Session.

And be it further Enacted, That it shall and may be lawful for every person whose name may be struck off the Register, or whose claim may have been rejected, by any Revising Barrister or Judge of Assize, to apply at any Revising Session held after his name shall have been so struck off or rejected to be registered as a voter, notwithstanding such former order, he giving such notice as is hereinbefore directed of his intention to register: And provided further, That every person whose name has been struck off the poll by any Committee of the House of Commons shall in like manner be at liberty to apply to be registered as a Voter.

27. Appeal may be made against the right of being registered.

AND whereas it is expedient that an appeal should be given in certain cases and under certain restrictions against the right of any person now registered, or who may before the *First* of next be registered, to be placed by a Revising Barrister on the Register at the first Revising Sessions under this Act, though the objection to such Voter may be founded on some matter existing at the time at which such Voter was registered; BE it Enacted, That it shall be lawful for any registered Voter to appeal against the right of any person now registered, or who may be registered before the *First* day of next, to be placed on the Register at the first Revising Sessions under this Act; and such appeal shall be made to the Judges of Assize at the next Spring Assizes for the county, city, town or place for which such person so objected to is registered as a Voter, except such person is registered as a Voter for the county or city of Dublin, and then to a Judge of one of the Courts of King's Bench, Common Pleas, or Exchequer, at the sittings after next Trinity Term, and not at any other time; and every person so appealing shall serve a notice on the person whose vote is so objected to, or leave it at his place of abode as described in the Register, *Six* Days at the least before the day for hearing such appeal, and shall leave with the Clerk of the Peace or Town Clerk having the custody of the Register on which the name of such Voter so objected to shall be placed a copy of such notice *Six* Days at the least before the day for hearing such appeal, and such notice shall state the particular objection to the Voter relied on by the party so objecting; and if it shall appear, on the hearing of such appeal, that such notice was duly served, and that security for costs was given as hereinafter mentioned, the Judge shall hear such appeal and determine the validity of such objection in the same manner as an appeal against any decision of a Revising Barrister under this Act may be determined; but such Judge shall not allow or hear any objection to such Voter save only such as shall have been made by such notice; and the Judge before whom such appeal shall be heard shall have power to award to such Voter so objected to such sum for costs as he shall think fit, not exceeding the sum of *Forty* Shillings, to be paid by the person objecting, and may issue his decreee accordingly.

28. Person appealing to give security for Costs;

And be it Enacted, That every person who shall appeal against the right of any Voter to be placed on the Register shall, *Four* Days at the least before the day appointed for hearing such appeal, give security to the Clerk of the Peace or Town Clerk having the custody of the Register on which the name of the person objected to is placed by his bond for the sum of *Forty* Shillings, in which he shall be joined by *One* sufficient surety, and which shall be conditioned for payment of such costs as may be decreed on the hearing of such appeal, and for prosecuting such appeal; and in case such costs shall not be paid within *Two* Days after they shall be decreed, or in case such appeal shall not be prosecuted, the Clerk of the Peace or Town Clerk shall, at the request of the Voter so objected to, assign such bond to him by an indorsement thereon, and the person to whom it shall be assigned shall and may sue thereon in his own name by Civil Bill, and such bond or indorsement shall not require any stamp: Provided, however, That the person so appealing shall and may, in lieu of giving such bond, deposit with such Clerk of the Peace or Town Clerk the sum of *Forty* Shillings for the purpose aforesaid, which shall be applied by the Town Clerk or Clerk of the Peace as the Judge on such appeal shall direct; and such Clerk of the Peace and Town Clerk shall, on receiving said sum, or on the execution of such bond, give a certificate stating that such security was given or money lodged; and it shall not be lawful to hear any appeal until such certificate shall be produced, or it shall otherwise appear that such money was lodged or security given.

or, in lieu of such security, may deposit the sum of 40*s*.

29. Powers of Sheriff, &c. under this Act.

And be it Enacted, That every power and authority which any Sheriff or other Returning Officer may now exercise in case of any interruption to the polling by riot or disturbance may be exercised by him in taking a poll under this Act; and that in order to show that any cess, rate or tax was demanded from any person claiming a right to register, it shall be sufficient to prove that a notice requiring the payment thereof was left for him with his servant or one of his family at his usual place of abode.

30. Oath required to be taken by 50*l*. Freeholders under 2 & 3 W. 4. c. 88. may be taken in any of the Superior Courts in Dublin.

And be it further Enacted, That every person seised of a freehold of the annual value of not less than *Fifty* Pounds, in any county, county of a city or county of a town, shall be at liberty, instead of attending before such Revising Barrister, to take and subscribe the proper oath by the Schedule to the said recited Act of the second and third year of the reign of His present Majesty annexed prescribed, in any of the Superior Courts of Record in Dublin, or before any going Judge of Assize; and the Revising Barrister shall, on the production of such affidavit before him by the Clerk of the Peace or the Town Clerk or his Deputy, and on its appearing that such notice as aforesaid of the intention to claim to be entitled to register was given, and that there is no valid objection to such claim to register, admit the

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claim of such person to register, and place his name on the Register accordingly, without requiring such claimant to appear personally before him.

31. Names of Freemen by Birth, &c. not to be registered, unless such right has been allowed for Twenty Years previous to March 1831.

And be it further Declared and Enacted, That in case any person shall have been admitted a Freeman since the Thirty-first day of March One thousand eight hundred and Thirty-one, in right of birth, servitude or marriage in any city, town or borough in Ireland, or shall hereafter be so admitted, the said Revising Barrister and every Judge, on appeal to him, shall inquire whether such right of Freedom by birth, servitude or marriage was allowed and acted on in such city, town or borough within *Twenty* Years next before the said Thirty-first day of March One thousand eight hundred and Thirty-one, and shall not place the name of such Freeman on the Register unless such right was allowed aud acted on in such city, town or borough within *Twenty* Years next before the said Thirty-first day of March One thousand eight hundred and Thirty-one, and was capable of being enforced by mandamus or otherwise in a Court of Law, and not liable to be registered by the corporate body or any portion thereof; and no person shall be admitted to register as a Freeman in consequence or in right of being the son of a Freeman admitted as an Honorary Freeman since the said Thirty-first day of March One thousand eight hundred and Thirty-one, or by reason of being married to the daughter of such Honorary Freeman.

32. Poll to commence on the day after the same shall be demanded, and to continue Two Years.

And be it further Enacted, That from and after the *passing of this Act* every Poll which shall be demanded at any election of a Member or Members to serve in Parliament for any county, city, town or borough in Ireland, shall commence, if for a county at large, on the day next but one after the day on which the same shall be demanded, and if for a city, town or borough on the day after the day on which the same shall be demanded, unless the same shall happen to be a Sunday, Christmas-day or Good Friday, and in such case on the day next after, and shall be regularly proceeded on from *Nine* of the clock in the morning until *Six* of the clock in the afternoon on each day, Sunday, Christmas-day and Good Friday only excepted, until the same shall be finished, but so as that no poll shall continue more than *Two* Days, Sunday, Christmas-day and Good Friday not to be counted as one of such days; and if such poll shall continue until the Second Day, it shall be finally closed at or before the hour of *Six* of the clock in the afternoon of the said second day, and the Returning Officer or Officers shall immediately after the final close of the poll declare the name or names of the person or persons having the majority of votes on such poll, and the number of votes polled for him or them and for the other Candidate or Candidates, and shall forthwith make a Return of the person or persons having a majority of votes as being duly elected.

33.
A Polling Place to be provided for each 200 Voters.

And be it further Enacted, That whenever in any *One* barony or half barony of any county, or in any county of a city or town, or in any borough, the number of registered Voters appearing by the books of the Clerk of the Peace or Town Clerk, in case an Election shall be held before the time appointed for making such Register under this Act, capable of voting at any Election for the same shall exceed *Two hundred* Votes, and whenever after Register shall have been made as directed by this Act, the number of Voters appearing by such Register to be capable of voting in any barony or half barony of any county, or in any county of a city, or in any town or borough shall exceed *Two hundred*, it shall and may be lawful for the Returning Officer or Officers, and he and they are hereby required to provide *One* or more polling place or places for such barony, half barony, or for such county of a city, town or borough, and to make a division or divisions of the Voters according to the first letters of their names in case any Election shall take place before a Register shall be formed under this Act, and after such Register shall have been formed, then according to the order of such names on the Register, so as that it shall not be necessary for more than *Two hundred* Voters to poll in *One* Place of polling; and that it shall be lawful for such Returning Officer or Officers, and he and they are hereby required to provide as many places of Polling as may be necessary for that purpose, and to appoint a Deputy and Poll Clerk for each place of polling, and shall cause to be fixed on the most conspicuous part of each of the said polling places the name of the barony, half barony or district for which such polling place is allotted, and the first and last number as entered in the Register of the persons who are capable of polling therein.

34.
Clerk of Peace shall before every Election deliver to the Returning Officer so many Copies of last revised Register as he shall require.

And be it further Enacted, That the Clerk of the Peace and Town Clerk respectively shall at or previously to the day appointed for holding of every Election for the return of a Member or Members to serve in Parliament for any county, borough, city or town in Ireland, deliver or cause to be delivered to the Returning Officer or Officers at such Election as many printed or written copies of the then last revised Register as such Returning Officer or Officers shall require, and shall at the foot thereof certify the same to be true copies respectively of such Register, and *One* of such certified copies shall be given by such Returning Officer to each Deputy; and such Clerk of the Peace and Town Clerk shall before the time appointed for the commencement of the poll, deliver to each Poll Clerk a copy of so much of the said Register as contains the names of the *Two hundred* Voters, or such other number of Voters as may be capable of voting in his booth, according to the division of the Returning Officer or Officers as aforesaid of the names of the Voters in each place of polling.

And

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35. No Inquiry at the time of Election, except as to Identity of Voter, and whether he has voted before at the same Election.

And be it Enacted, That in all Elections whatever of Members to serve in Parliament held after such Register shall have been had, no inquiry shall be permitted at the time of polling as to the right of any person to vote, nor any objection thereto made or received by any Returning Officer or his Deputy, except only as follows; (that is to say) that the Returning Officer or his Deputy shall, if required by or on behalf of any Candidate, require any person tendering his vote to take the following oath, or if a Quaker or Moravian or Separatist, to make the following declaration or affirmation:

"I do swear or declare [or affirm, as the case may be,] That I will true answers make to such questions as the Returning Officer or his Deputy shall demand of me.

"So help me GOD."

And shall, if required by or on behalf of any Candidate, put once to any Voter at the time of his tendering his vote, and not afterwards, the following Questions, or either of them, and no other:

Form of Question as to these Points.

1. Are you the same person whose name appears as A. B. on the Register of Votes now in force for the county of [or for the city or borough of as the case may be].
2. Have you already voted at this Election?

False Answers punishable as Perjury.

All Oaths abolished, except the Bribery Oath.

And if any person shall wilfully make a false answer to either of the questions aforesaid, he shall be liable to the pains and penalties of Perjury, and on being duly convicted thereof shall be punished accordingly; and no person voting or claiming to vote at any such Election shall be required to take the Oaths of Allegiance, Supremacy or Abjuration, or to take or make any Oath or Declaration in lieu thereof, or any other Oath, solemn Affirmation or Declaration whatever, except the Oath, Affirmation or Declaration against Bribery, where the same shall be duly required to be taken by or on behalf of any Candidate, nor shall it be necessary for him to do so in order to qualify himself to vote; and no person claiming to vote at any such Election shall be excluded from voting thereat except by reason of its appearing to the Returning Officer or his respective Deputy, upon such questions as aforesaid or either of them being put, and from the answers of such persons thereto, that the person so claiming to vote is not the same person whose name appears on such Register as aforesaid, or that he has previously voted at the same Election, or except by reason of such person refusing to answer to either of the said questions, or to take or make the Oath, Declaration or Affirmation against Bribery; and no scrutiny shall hereafter be allowed by or before any Returning Officer with regard to any Votes given or tendered at any Election of a Member or Members to serve in Parliament; any law, statute or usage to the contrary notwithstanding.

36.
What other Expences are illegal.

AND whereas divers demands have been made upon Candidates at Elections by Sheriffs, Under Sheriffs, Returning Officers, Clerks of the Peace, Town Clerks and other persons, for money claimed to be due in respect of the employment of Assessors and other legal advisers, Sheriffs, Under Sheriffs, Returning Officers, Clerks of the Peace, Town Clerks, Sheriffs' Messengers, Special Constables and other Peace Officers, for keeping the peace at Elections, Stewards' Bailiffs, Serjeants-at-Mace, Magistrates' Clerks, Beadles, Criers and other officers and persons employed at Elections, for receiving the Writ of Election and making the return thereto, and in respect of charges for the attendance at such Elections, and in respect of expenses incurred in coach-hire, tavern and other personal expenses for stationery and printing, and in other various matters incidental to and connected with the proceedings at Elections: AND whereas no candidate ought to be subjected to any such demands; BE it therefore Enacted and Declared, That no Sheriff, Under Sheriff, Returning Officer, Clerk of the Peace, Town Clerk, Assessor or other legal adviser of a Returning Officer, Constable or other officer or person officially employed at any future Election, shall demand or receive from any Candidate or any other person any gratuity fee or reward, or any money, security or valuable thing whatsoever, for or in respect of any service or work performed or to be performed, or pretended to have been performed at any such Election either by himself or by any other person employed by or under his direction; nor shall any other person so employed by or under such directions demand or receive from any such Candidate or any other person any gratuity, fee or reward, or any money, security or valuable thing whatsoever, in respect of any service or work performed or to be performed or pretended to have been performed at any such Election, save as in this Act mentioned; nor shall any of the officers or persons aforesaid, or persons employed by or under the direction of any such officer or other person aforesaid, demand or receive from any Candidate or any other person any money, security or valuable thing whatsoever, for goods supplied or to be supplied or pretended to have been supplied, or for or in respect of any money advanced or paid, or to be advanced or paid, or pretended to have been advanced or paid, or for or in respect of any expenses or liabilities incurred or to be incurred or pretended to have been incurred in, about or relating to any such Election or any proceeding thereat; nor shall any Candidate or person acting as the agent of any Candidate, or any other person in that behalf, either voluntarily or at the demand or request of any other person, give pay or deliver any such gratuity, fee, reward, money, security, or other valuable thing, for or in respect of any such service or work performed or to be performed or pretended to have been performed, goods supplied or to be supplied or pretended to have been supplied, money advanced or paid, or to be advanced or paid, or pretended to have been advanced or paid, expenses or liability incurred

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incurred or to be incurred or pretended to have been incurred respectively in, about, or relating to any such Election or proceeding thereat; and any such officer or other person as aforesaid, or person employed by or under the direction of any such officer or other person aforesaid, who shall demand or receive from any Candidate or any other person any such gratuity, fee, reward, money, security or other valuable thing, for or in respect of any such service or work performed or to be performed or pretended to have been performed, goods supplied or to be supplied or pretended to have been supplied, money advanced or paid or to be advanced or paid, or pretended to have been advanced or paid, expense or liability incurred or pretended to have been incurred respectively in, about or relating to any such Election or any proceeding thereat, save as in this Act mentioned; or any Candidate, or person acting for or as the agent of any Candidate in that behalf, who shall voluntarily, or at the demand or request of any other person, give, pay or deliver any such gratuity, fee, reward, money, security or other valuable thing for or in respect of any such service or work performed, or to be performed or pretended to have been performed, goods supplied or to be supplied or pretended to have been supplied, money advanced or paid, or to be advanced or paid, or pretended to have been advanced or paid, expense or liability incurred or to be incurred or pretended to have been incurred respectively in, about or relating to any such Election or proceeding thereat, save as aforesaid, shall forfeit and pay *Treble* the value of every such gratuity, fee, reward, sum of money, security or other valuable thing so demanded, received, paid or delivered to any person who shall sue for the same in any of His Majesty's Courts of Record at Dublin: Provided always, That no such action shall be commenced after the period of *Two* Years shall have elapsed from the time of such demand, receipt, payment or delivery.

37. Seat voided by payment of illegal Expenses.

And be it Enacted, That if any person who shall hereafter be returned to serve in Parliament shall, either voluntarily or at the request of any other person, give, pay or deliver, or cause to be given, paid or delivered, any gratuity, fee, reward, money, security or valuable thing whatsoever, contrary to any of the enactments in this Act in that behalf contained, the return of such person shall be and the same is hereby declared to be void.

38. Returns not liable to Stamp Duty

And be it Enacted and Declared, That no indenture, writing or other instrument whatever containing the return of any Member or Members to serve in Parliament shall be liable to any Stamp Duty or to any other Government Duty whatsoever.

39. Houses may be used for Polling instead of Booths.

Provided always, and be it Enacted, That every Sheriff or other Returning Officer may, if he shall so think fit, instead of erecting such

such booth or booths or polling places as aforesaid, procure or hire and use any houses or other buildings for the purpose of taking the poll therein, subject always to the same regulations, provisions, liabilities and limitations of expense as booths to be erected for taking the poll.

40. Persons voting twice at the same Election guilty of a Misdemeanor.

And be it Enacted, That if any person shall vote twice at the same Election, or having already voted shall tender or offer his vote again at the same Election, such person shall be guilty of a *Misdemeanor*, and shall, upon being convicted thereof, in addition to the pains and penalties hereinbefore imposed on persons wilfully making false answers to either of the questions hereinbefore authorized to be put at the time of polling, be punishable with *Imprisonment* with *Hard Labour* for the period of *Six* calendar Months.

41. Writs of Election, &c. to be free of Postage.

And be it further Enacted, That the returns of any Writs of Elections, Indentures of Return, Precepts for Election and Returns thereof, shall, from and after the *passing of this Act*, be sent by the general post to the proper officer entitled to receive or keep the same, and that no postage shall be chargeable or paid in respect thereof.

42. Compensation to Deputies, Poll Clerks, and Returning Officers.

And be it further Enacted, That each Deputy shall be entitled to be paid a sum of *Two* Guineas for his services at such Election, and each Poll Clerk shall be entitled to be paid the sum of *One* Guinea for his services at such Election, and that the Returning Officer or Officers shall be entitled to be paid the sum actually paid by him, not exceeding the sum of *Three* Pounds, for the expense of erecting each booth or polling place, and a sum not exceeding the sum of *Five* Pounds for the expenses of the indentures, making proclamations, making the return, and of stationery and all other incidental expenses; and that he or they shall not be entitled to any further or other sum; and the amount of such charges shall be paid by the Candidates, or the person or persons proposing them, rateably.

43. Lord Lieutenant may withhold Salary from Revising Barrister in case of wilful Neglect, &c.

And be it further Enacted, That if any Revising Barrister or other Barrister appointed as aforesaid shall wilfully neglect any of the duties hereby imposed on him, or otherwise wilfully misconduct himself in the discharge of his said duties, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, by any warrant under his or their hand or hands, to direct that the salary of such Revising Barrister shall not be paid to him, and such warrant shall specify the reasons for directing that it shall not be paid; and in case Parliament shall be then sitting a copy thereof shall be laid before each House of Parliament within *Ten* Days after the date thereof, and if Parliament shall not be then sitting, a copy thereof shall be laid before each House of Parliament within *Ten* Days after the

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the next meeting of Parliament; and any person who may have sustained any damage by such wilful neglect or misconduct shall and may commence and prosecute an action at law against such Barrister, and recover therein such damages as a Jury shall, under the circumstances, consider to be reasonable.

44. Oath to be taken by Revising Barristers.

And be it further Enacted, That every such Revising Barrister and every Barrister who may be appointed as aforesaid in his place shall, before he shall act as Revising Barrister, take and subscribe the following oath or make the following declaration or affirmation before the Lord Chancellor, or one of the Commissioners for the custody of the Great Seal in Ireland, or the Master of the Rolls, or in their absence before one of the Masters in Ordinary of the Court of Chancery in Ireland, and an entry thereof shall be made on a roll in the office of the Clerk of the Crown and Hanaper in Ireland, or the Rolls Office of the said Court of Chancery:

"I do swear, [or declare or affirm, as the case may be,] That I will diligently, faithfully and without favour or partiality execute the several duties imposed on me as a Revising Barrister under an Act passed in the sixth year of the reign of His Majesty King WILLIAM the Fourth, intituled, &c. [state the title of this Act], and that I will not admit to be registered any person who shall not appear to me to be entitled to register as voter, or reject the claim of any person claiming to be entitled to register as a voter who shall appear to me to be entitled to register as such voter."

45. A Certificate (in Form in Schedule) to be given to any Voter, on demand, by Clerk of Peace and Town Clerk; Fee Sixpence.

And be it further Enacted, That every Clerk of the Peace and Town Clerk shall and he is hereby required, at the request of any voter whose name shall appear on said corrected Register, or who is now registered, or any person authorized by him, to give to such voter on payment of the sum of *Sixpence*, a certificate in the form mentioned in the Schedule marked Number 3. to this Act annexed; and such Certificate shall be, when signed by the Clerk of the Peace, without any erasure or interlineation; and in case such Clerk of the Peace or Town Clerk shall neglect or refuse so to do, or shall give a certificate in which there shall be any interlineation or erasure, he shall forfeit the sum of *Five* Pounds to any person who shall sue for the same, such sum to be recoverable by civil bill before the Assistant Barrister by whom civil bills for the place in which such certificate issued, or such neglect or refusal occurred may be cognizable.

46. Copy of Register furnished to Returning Officer to be Evidence of

And be it further Enacted, That the copy of the Register so directed to be furnished by the Clerk of the Peace and Town Clerk to the Returning Officers shall be conclusive evidence of the right of the

right of Persons therein to vote.

persons therein named to vote; and no inquiry as to identity shall be made, save as aforesaid, at any election, nor shall it be lawful or necessary to refer to the original Affidavit of Registry, but the Deputy shall refer to said copy of the Register, and mark opposite to the name of every voter who polls before him his initials, so as to be able to ascertain the persons who polled before; and he shall not permit any person whatsoever to examine the voter or in any manner to delay the poll, nor shall such Deputy administer the Oath of Bribery more than once to any voter, though more than one Inspector or Candidate may require him to do so.

47.

Penalties on Clerk of Peace, Town Clerk, &c. for Breach of Duty.

And be it further Enacted, That if any Clerk of the Peace, Town Clerk or Collector shall wilfully insert in any of the said Lists the name of any person whose name should not be inserted therein, or shall wilfully strike out of any of the said Lists the name of any person whose name should be inserted therein, or if he shall in any manner erase, alter or destroy said corrected Register, he shall forfeit the sum of *One hundred* Pounds, and be incapable of ever after holding the office of Clerk of the Peace, of Town Clerk, or of Collector or High Constable; and any such Clerk of the Peace, Town Clerk or Collector who shall neglect any of the duties hereby imposed upon him, shall and may be fined by any such Revising Barrister or Judge of Assize such sum as such Revising Barrister or Judge of Assize shall think proper, not exceeding the sum of *One hundred* Pounds; and any person who may sustain any damage from such misconduct or neglect of any Clerk of the Peace, Town Clerk or Collector may in any action in the Superior Courts recover from him such damages as the jury before whom such action may be tried shall consider reasonable, or at his election may proceed by civil bill before the Assistant Barrister having jurisdiction to try civil bills for the county, town or borough in which said Clerk of the Peace, Town Clerk, Collector or High Constable may reside, to recover such damages, not exceeding *Ten* Pounds, as such Assistant Barrister may think fit to award.

48.

Roll of Freemen not to be called over at Time of polling, nor any Priority to them given.

And be it further Enacted, That at any Election to be hereafter held in Ireland, of a Member or Members to serve in Parliament, it shall not be lawful to call over the Roll of Freemen, or to give any preference or priority whatsoever to any Freeman at the time of polling, any usage to the contrary notwithstanding; and that any person who shall hold or enjoy any office disqualifying him from voting, or who after he was registered, shall have parted with or been deprived of the Qualification in respect whereof he registered, and shall, notwithstanding such Disqualification, vote at such Election, shall forfeit a sum of *One hundred* Pounds to any person who shall sue for the same; and such sum shall and may be recovered by action, in any of the Sessions Courts in Dublin, or by Civil Bill before the Assistant Barrister, having

Penalty on disqualified Persons voting, 100*l.*

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having jurisdiction to hear and determine Civil Bills for the place in which such person may have voted; and in any such action, or in any proceeding to recover a penalty under this Act, the original Poll Book, produced from the Office of the Clerk of the Peace, or Town Clerk, and proved to be such original, shall be deemed to be sufficient evidence of the issuing of the Writ for holding such Election, and of the holding thereof, and of the Return, and that the Returning Officer or Officers, or Deputy or Deputies therein named, was or were duly appointed, and acted as such.

49. Compensation to Collectors of Grand Jury Cess, High Constable, and Collectors of Rates.

And be it further Enacted, That every Collector of Grand Jury Cess, or High Constable, and every Clerk of the Peace, and every Collector of Rates, who shall discharge the duties thereby imposed on him, and receive from the Revising Barrister at the Sessions, at which he may be required to attend, a certificate that he has diligently and faithfully discharged such duties, and shall give notice of the amount of his claim for pecuniary compensation, in the usual form of giving notices for Grand Jury Presentments, and the same shall be submitted to the Cess-payers and Magistrates at the next Road Sessions, in the town or barony nearest to which such duties have been performed, who shall determine the amount of such compensation, with reference to the size of the county or district, and the quantity of labour which such duties may have imposed upon him; provided such compensation to each such High Constable or Collector, shall not be above the sum of *Five* Pounds, and to each such Clerk of the Peace, not above the sum of *Ten* Shillings, for every day of his absence from the county town, in attendance at the Revising Sessions; and the Magistrates and Cess-payers, or, in case of the non-attendance of Cess-payers, the Magistrates only, shall certify their approval of the claim, or of so much thereof, as they shall think just and reasonable, to the Grand Jury at the next Assizes; and upon the production of such certificates to any Grand Jury of a county, city, town, or borough, at the Assizes next, after such Road Sessions, in any county or city, town or borough, save the city or county of Dublin, and on the production of the certificate of the Revising Barrister only, to the Grand Jury, at any Election time, in the county or city of Dublin, the said Grand Juries respectively may, if they so think fit, present such sum, not exceeding the sum of *Five* Pounds, to every such High Constable or Collector, and such sum, not exceeding the sum of *Ten* Shillings per diem, to every Clerk of the Peace, and the same shall be raised off the county, city, town or borough, or off any district thereof, in the same manner as all other monies, directed to be levied by a presentment of a Grand Jury.

50. When there is no Collector of Grand Jury Cess, Clerk of

And be it further Enacted, That if, in consequence of the death or removal of any Collector of Grand Jury Cess, there shall not be a Collector for any barony, or half barony, at the time at which any of

Peace to fulfil the Duties to such Collector prescribed by this Act.

the said notices are directed to be posted, or said Lists made out, the Clerk of the Peace for each county shall, and he is hereby required, to make out, and post such Lists and Notices, and do the other acts, in relation to the registry of Voters, which such Collector would, under the provisions of this Act, be bound to do.

51. Right of voting in Boroughs, &c. to be enjoyed by joint Occupants of Premises, when the clear annual Value shall give a Sum of 10*l.* for each.

AND whereas it has been doubted whether, under the provisions of this in part recited Act, made in the second and third year of His present Majesty, intituled, "An Act to amend the Representation of the People of Ireland," persons occupying as joint tenants any premises in any city, town or borough, are qualified to be registered as Voters therein, and it is expedient to remove such doubts; BE it therefore Enacted, That where any premises in any city, town or borough in Ireland, shall be jointly occupied by more persons than one, as owners or tenants, each of such joint occupiers shall, subject to the conditions in said in part recited Act, made in the second and third year of the reign of His present Majesty, as to persons occupying premises in any city, town or borough, be entitled to vote at any Election for any Member to serve in Parliament, for any such city, town or borough, in respect of the premises so jointly occupied, in case the clear yearly value of such premises shall be of an amount which, when divided by the number of such occupiers, shall give for each such occupier a sum not less than the sum which would entitle such person to vote if he occupied solely, but not otherwise.

52. Revising Barrister to estimate beneficial Interest of Voter in Premises. 10 G. 4. c. 8.

And be it Declared and Enacted, That in estimating and determining whether any person who shall claim to be allowed to register as a Voter has a beneficial interest to the amount in value required by the said in part recited Act of the second and third years of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People of Ireland," or by an Act passed in the tenth year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to amend certain Acts of the Parliament of Ireland, relative to the Election of Members to serve in Parliament, and to regulate the Qualification of Persons entitled to vote at the Election of Knights of the Shire in Ireland," in or out of the premises in respect whereof he claims to register, the said Revising Barristers, or any Judge on an appeal to him, shall estimate such value according to the beneficial interest which the person so claiming to register has in such premises, calculating such interest to be the profit and advantage derived by such person out of such premises, or by means thereof, after deducting the rent, tithe, compositions and expenses, if any, of cultivating such premises, and not according to the rent which a solvent tenant could afford to pay for the same over and above the rent which the person so claiming to register is liable to pay; and every appeal under this Act shall be determined by the Judge of Assize or Judge of Nisi Prius, without impannelling a Jury to try any question whatsoever.

SCHEDULE

SCHEDULE to which this Act refers.

No. 1.

I do hereby certify, That the foregoing List of Voters contains the name of every person now registered as a Voter for the county of [or, city, town or borough, as the case may be], and of every person who served notice before the First day of January last of his intention to claim to be entitled to register as a Voter for such county, [town, city or borough, as the case may be], and that it does not contain the name of any other person.

Dated this day of in the year

No. 2.

	£. s. d.
For the Expense of the Indenture, making Proclamations, making the Return, Stationery, and all other incidental Expenses - - - - - - - - -	5 0 0
Expenses of Deputies at *Two* Pounds *Two* Shillings for each - - - - - - - -	
Expenses of Poll Clerks, at *One* Pound *One* Shilling for each - - - - - - - -	
Expenses of Booths or Polling Places actually erected, exclusive of the Polling Places in the Court House or other Public Building - - - -	

No. 3.

[State the Number as on the Register.]

I do hereby certify, That A. B. of in the County of [or of street or place in the city, town, or borough, as the case may be], was in the month of placed on the Register as a person entitled to vote at any Election for a Member to serve in Parliament for the said county [or, city, town or Borough, as the case may be], held before the First day of March One thousand eight hundred and Thirty

(Ireland.)

A

B I L L

To amend the Law relative to the Registration of Votes in Ireland, and to taking the Poll at Elections in that Part of the United Kingdom.

(Prepared and brought in by Mr. Serjeant O'Loghlen and Lord Viscount Morpeth.)

Ordered, by The House of Commons, *to be Printed,* 10 *March* 1836.

A

B I L L

More effectually to prevent Bribery and Corruption and unnecessary Charge and Expense in the Election of Members to serve in Parliament.

[Note.—The Words and Figures printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS it is expedient that the several Statutes now in force in the United Kingdom relating to Bribery and Charge and Expense in the Election of Members to serve in Parliament, should be repealed, and that the provisions therein contained should be amended and consolidated in one Act, and that further and more effectual means should be adopted for the prevention, detection and punishment of Corruption in any way relating to such Election; Preamble.

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the *passing of this Act*, an Act passed in the seventh year of the reign of King WILLIAM the Third, intituled, "An Act for preventing Charge and Expense in Election of Members to serve in Parliament;" and an Act passed in the second year of the reign of King GEORGE the Second, intituled, "An Act for the more effectually preventing Bribery and Corruption in the Election of Members to serve in Parliament;" and an Act passed in the forty-ninth year of the reign of King GEORGE the Third, intituled, "An Act for better securing the Independence and Purity of Parliament, by preventing the procuring and obtaining of Seats in Parliament by corrupt Practices;" and also an Act passed in the seventh and eighth years of King GEORGE the Fourth, intituled, "An Act to make further Regulations 1. Certain Statutes Repealed.

for preventing corrupt Practices at Elections of Members to serve in Parliament, and for diminishing the Expense of such Elections," shall be and the same are hereby Repealed, except so far as any of the said Acts may repeal the whole or any part of any former Acts, and except as to Offences and other matters committed or done before the *passing of this Act.*

2. Corruptly obtaining Votes.

And be it Enacted, That if any Person shall at any time after the *passing of this Act*, by himself, or by or with any other Person, by means of any gift, present, reward, bargain, loan, offer, promise, engagement or allowance, or by any ways, means, devices or contrivances whatsoever, corruptly procure, or attempt to procure, any Person to give or to refuse or forbear to give his Vote at any such Election, or shall by any ways or means corruptly reward or recompense any Person, directly or indirectly, for having given or refused or forborne to give his Vote at any such Election, he shall for every such offence forfeit the sum of *Five hundred Pounds.*

3. Repaying or compensating any Person who has corrupted others.

And be it Enacted, That if any Person shall directly or indirectly by any ways, means, devices or contrivances whatsoever, in whole or in part repay or compensate, or cause to be so repaid or compensated, or undertake, engage or promise so to repay or compensate to any other Person any sum or sums of Money, or any costs, charges or expenses whatsoever paid, expended, incurred or borne, or to be paid or borne by such or any other Person in or about the corruptly inducing or endeavouring to induce any Voter to give or to refuse or forbear to give his Vote in any such Election, every Person so offending in any respect shall for every such offence forfeit the sum of *Five hundred Pounds.*

4. Allowances for loss of Time or Expenses in voting.

AND whereas corrupt inducements to vote at such Elections have been and may be practised under colour or pretence of giving or allowing to Voters a bonâ fide compensation for loss of time in attending for the purpose of voting at any such Election; BE it therefore Enacted, That if any Person shall at any time after the *passing of this Act* directly or indirectly give, offer or allow, or in any way promise to or for the use or advantage of any Voter, any gift, reward or compensation of any kind, as a consideration in whole or in part for any loss of time in travelling to or from or in attending at any such Election for the purpose of voting, he shall for every such offence forfeit the sum of *Fifty Pounds.*

5. Giving Meat, Drink or Provision.

And be it further Enacted, That if any Person shall at any time after the *passing of this Act*, by himself, or by or with any Person, or by any ways, means or devices, or under any colour, excuse or pretence whatsoever, directly or indirectly, give, present, allow, provide

or

or procure, or promise, engage or agree to give, present, allow, provide or procure any meat, drink, entertainment or provision to or for any Person, with the intent or for the purpose of thereby corruptly influencing such or any other Person to give or to refuse or forbear to give his Vote in any such Election, or for the purpose of corruptly recompensing such or any other Person for having given or refused or forborne to give his Vote in any such Election, every Person so offending in any respect shall for every such offence forfeit the sum of *Fifty Pounds*.

6. Persons guilty of Bribery incapacitated from sitting in Parliament.

And be it Enacted, That if any Sitting Member, or other Candidate, shall be declared by the Report of any Committee appointed to try the merits of any Election Petition, to have been guilty of any of the offences hereinbefore mentioned, such Member or Candidate shall thenceforth be incapacitated to serve in that Parliament; and if any Person shall be found by any such Committee as aforesaid to have been guilty of any of the offences hereinbefore mentioned, the vote of such Person, if given at the Election so appointed to be tried as aforesaid, shall be null and void, and shall be struck off the poll by the said Committee: Provided always, That no evidence shall be received by such Committee affecting the capacity, under the provisions of this Act, of any such Candidate, unless he shall be proved to have received Days' notice of such intention: And provided also, That any such Candidate to whom notice as aforesaid shall have been given, shall be entitled to appear and be heard by his counsel or agent before such Committee.

7. Giving Cockades.

And be it further Enacted, That if any Person who shall be proposed as a Candidate at any such Election after the *passing of this Act*, by himself or by any other Person, directly or indirectly, give or allow or cause to be given or allowed to any Person any Cockade, Ribbon or other mark of distinction, with reference to such Election, he shall forfeit the sum of *Ten Pounds*.

8. Penalty for receiving Money for voting.

And be it Enacted, That if any Person shall after the *passing of this Act* corruptly receive, demand or ask for, directly or indirectly, any money, gift, present, reward, gratuity, loan, office, preferment, place, benefice, commission or employment, or any treat, entertainment or provision, to or for himself or for any other Person, as a consideration for giving or forbearing to give, or for having given or forborne to give, or for corruptly inducing or having so induced, or for endeavouring or having endeavoured so to induce any other Person to give or to forbear to give his Vote at any such Election, he shall for each and every such offence forfeit the sum of *Fifty Pounds*, and also the amount or value of any money or security for money, gift, emolument or reward so received or accepted by him; and his Vote if given at such Election

shall be utterly void, and if lawfully convicted of any such offence he shall be for ever incapable of holding any public office, place, benefice, commission or employment.

9. Receiving Compensation for Loss of Time, or for Expenses.

And be it Enacted, That if any Person entitled or claiming to vote at any such Election shall after the *passing of this Act* directly or indirectly accept or receive, or agree or consent to accept or receive, any money or security for money or any valuable thing, as a consideration, though bonâ fide, for any loss of time, in his travelling to or from or attending to vote at any such Election; or if any Person shall for fee or reward act at any such Election as Counsel, Agent, Attorney, Poll Clerk, Messenger, or in any other capacity for the purposes of such Election, he shall be deemed incapable of voting at such Election, and his Vote, if given, shall be utterly void and of none effect.

Voter acting as Counsel, &c.

10. Electors not bound to serve as Special Constables.

And be it Enacted, That no Elector at any such Election shall be liable or compelled to serve as a Special Constable thereat, unless charged by some Magistrate or Peace Officer to assist in resisting or repressing any actual riot, disturbance or assault; and in no case shall he receive or be entitled to any fee or reward for acting as such Constable, or in aid of any Civil Officer as aforesaid.

11. Oath to be taken by Members in The House of Commons.

And be it Enacted, That every Person who shall be returned at any such Election shall at the time that he shall take any other Oaths at the Table of The House of Commons as prescribed by any Law now in force, and immediately after such Oaths, take the Oath following; or if he shall by law be excused from taking an Oath, then he shall solemnly affirm to the effect thereof; (that is to say)

"I, A. B., do swear, [or, solemnly affirm], That I have not advanced, paid or promised, nor will I hereafter advance, pay or promise to any Person whatsoever any Money, Gift or Reward of any kind for the purpose of corruptly procuring or promoting, or for having corruptly procured or promoted my Return to serve in Parliament.

"So help me GOD."

12. Oath to be taken by Voters.

And be it Enacted, That in all such Elections in future, every Voter, before he is admitted to poll, shall, if thereto required by any Candidate, or any *Two* of the Electors, take an Oath, or, being by law authorized so to do, make an Affirmation, as follows:

"I, A. B., do swear, [or, solemnly affirm], That I have not knowingly received, nor will I hereafter knowingly receive, directly

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directly or indirectly, any Gift, Recompence or Reward whatsoever for or on account of the Vote which I am about to give. "So help me GOD."

13. Penalty on Returning Officer's admitting Persons to vote without being sworn.

And be it Enacted, That if any Returning Officer, or his lawful Deputy, shall admit any Person to vote without taking such Oath or Affirmation when so required, and which he is hereby empowered and directed to administer gratis, he shall forfeit the sum of *Fifty Pounds*.

14. Oath to be taken by Returning Officer.

And be it Enacted, That the Returning Officer at every such Election shall, immediately after reading the Writ or Precept for the Election of a Member or Members, take and subscribe the following Oath :

"I, A. B., do swear, That I have not received, nor will I receive, directly or indirectly, any Gift, Emolument or Reward whatsoever in consideration of my returning any particular Candidate or Candidates at this Election.

"So help me GOD."

Which Oath any Justice or Justices of the Peace of the County, City or Borough where such Election shall be had, or if no such Justice be present, any *Three* of the Electors is and are hereby authorized and required to administer; and such Oath so taken shall be entered among the records of the Sessions of such County, City or Borough.

15. Committee may avoid Election in Cases where the Return has been procured by Bribery.

AND whereas it has been the practice of many Committees appointed to try the merits of Election Petitions, to refuse to hear evidence of acts of bribery committed by persons not legally proved to have been the agents of the Sitting Member or other Candidate, whereby it has frequently happened that returns procured by gross bribery and corruption, carried on by individuals or societies on behalf of the Candidates, but unknown to and unauthorized by them, have been sustained for want of the requisite proof of agency: AND whereas the principal issue to be tried by such Committees is the validity of the return; BE it therefore Enacted, That whenever any Committee appointed to try the merits of any Election Petition, shall report it as their opinion that the return of any Member to serve in Parliament has been obtained by Bribery or Corruption, or that any extensive or systematic Bribery or Corruption has been resorted to, in order to procure or promote such return, it shall be lawful for the said Committee to declare such Election to be void, or to amend the return according to the circumstances of the case: Provided always, That in no case shall any Candidate be declared to be duly elected by any such Committee as aforesaid, who shall have been proved before such

Committee to have been guilty of any of the offences hereinbefore mentioned, by the commission whereof any person is hereby disqualified from sitting in Parliament, or on whose behalf, or in order to procure or promote whose return any extensive or systematic Bribery or Corruption has been proved before such Committee to have been resorted to.

16. Corruption at former Elections.

And be it Enacted, That whenever any Petition shall hereafter be preferred against the Return of any Person to serve in Parliament at any Election had or held in consequence of the Return made at any former Election being declared void, the Select Committee to whom any such Petition shall be referred, shall and they are hereby required to inquire into and report upon any offences against this Act, charged to have been committed by such Person not only at the Election at which he shall have been so returned, but at such former Election as shall have been declared void as aforeaid.

17. Not lawful for Witnesses to object to answer Questions on the ground of the same criminating them.

And be it Enacted, That from and after the *passing of this Act*, no Person whatsoever shall be entitled to object to be examined as a Witness, or to answer any Question that shall be put to him before The House of Commons or any Committee thereof as aforesaid, or in any Action or Prosecution before any Court of Justice aforesaid, touching any corrupt or illegal practices whatsoever committed or alleged to have been committed at or with reference to any such Election, on the ground that such examination or the answer to such question may criminate himself, or that he is a party to any Petition relating to any such Election: Provided nevertheless, That no such examination or answer shall at any time afterwards be given in evidence against such Person in the said House of Commons, or in any Court, Committee or place whatsoever, save and except on an Indictment for Perjury against such Person; and if the said House or any Committee or Court before whom he shall be examined as aforesaid, shall be satisfied with the answers given by such Person, he shall, if such answers shall implicate him in any such corrupt or illegal practices, be entitled to receive, gratis, a Certificate under the hand of The Speaker of the said House, or of the Chairman of such Committee, or of the presiding Judge in any such Court, as the case may be; which Certificate shall be a full and sufficient discharge of all penalties, disabilities and punishments which he shall or may be liable to for any offence in which such examination or answers shall implicate him as aforesaid.

18. Discoverer indemnified.

And be it Enacted, That if any Person shall, within the space of *Three* Months next after any offence committed against this Act shall become known to him, discover the Person or Persons by whom any such offence shall have been committed, so that the Person or Persons so discovered be thereof convicted, he shall himself be indemnified and discharged

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discharged from all penalties and disabilities for any offence by him committed against this Act, such only excepted whereof he shall have been before that time duly convicted.

19. Making false Oath or giving false Evidence.

And be it Enacted, That if any Person shall wilfully make any of the Oaths or Affirmations aforesaid falsely, or give any false evidence relating to any of the offences aforesaid, and be thereof convicted, he shall suffer the pains and penalties of *Perjury*, and be for ever disabled to vote at any such Election, or to sit in Parliament; and the Prosecutor in any indictment for any such offence shall be entitled to his costs if the Court before whom such indictment shall be tried shall think fit to allow them.

20. Sheriffs to publish Notices.

And be it Enacted, That the Sheriff of every county shall, after the *passing of this Act*, on the receipt of any Writ for the Election of Members to serve in Parliament, insert or cause to be inserted in the several Newspapers which shall be published next after the receipt of such writ, in the county town or in any of the cities or boroughs of such county, a Notice, in the Form or to the effect of the Notice given in a Schedule to this Act annexed; and such Sheriff and the Returning Officer of every City and Borough shall affix or cause to be affixed, a similar Notice, in large and legible characters, in some conspicuous place in or near to every Hustings or Polling-booth at any such Election; and every such Sheriff shall be entitled to charge the Expense of publishing such Notices in the Newspapers or on the Hustings or Polling-booth of any City or Borough to the Returning Officers thereof respectively, who are hereby entitled to charge the same to the respective Candidates at any such Elections, along with any other Charges to which such Candidates are liable by law.

21. Recovery of Penalties.

And be it Enacted, That all Penalties and Forfeitures by this Act imposed, if incurred in England or Wales, shall and may be recovered, together with full costs of suit, by any Person who will sue for the same in an action of debt in any of His Majesty's Courts of Record at Westminster; or if incurred in Ireland, by like action in any of His Majesty's Courts of Record at Dublin; or if incurred in Scotland, then by summary action, complaint or prosecution, before the Court of Session or Court of Justiciary there.

22. Limitation of Proceedings.

And be it Enacted, That no Person shall be liable to any punishment, penalty or incapacity, for any offence committed against this Act, unless proceedings shall be had against him for such offence within *Six* calendar Months next after such offence shall have been committed.

THE SCHEDULE

Referred to in the foregoing ACT.

COUNTY OF (A.) OR CITY OF (A.) OR BOROUGH OF (A.)

	FORFEITS. £.
He who corruptly obtains or attempts to obtain any Vote, for every offence	500
He who gives any thing for loss of time or expenses, or any meat or drink for voting	50
He who receives any thing for voting	50
Any Candidate or his Agent giving or allowing any ribbon or mark of distinction, for every one	10

Any Voter guilty of any of the above offences, or who receives compensation for loss of time, forfeits his vote.

All Persons liable to be imprisoned till such fines are paid.

A

B I L L

More effectually to prevent Bribery and Corruption and unnecessary Charge and Expense in the Election of Members to serve in Parliament.

(Prepared and brought in by Mr. Hardy and Mr. William Ord.)

Ordered, by The House of Commons, *to be Printed,*
26 *February* 1836.

A

B I L L

To regulate the Expenses at Elections of Members to serve in Parliament for England and Wales.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS in the Preamble of an Act passed in the second year of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People in England and Wales," it is amongst other things stated, that it is expedient to diminish the Expense of Elections: And whereas certain Expenses are now payable by Candidates, and it is expedient to better regulate the same: Preamble. 2 W. 4. c. 45.

And whereas it is by the said recited Act further enacted, "That the respective Counties in England and Wales, and the respective Ridings, Parts and Divisions of Counties, shall be divided into convenient districts for polling, and in each district shall be appointed a convenient place for taking the poll at all Elections of a Knight or Knights of the Shire, to serve in any future Parliament, and such Districts and Places for taking the Poll shall be settled and appointed by the Act to be passed in this present Parliament for the purpose of settling and describing the Divisions of the Counties enumerated in the Schedule marked (F.) to this Act annexed; provided that no County, nor any Riding, Parts or Division of a County, shall have more than Fifteen Districts and respective Places appointed for taking the Poll for such County, Riding, Parts or Division." s. 63.

And whereas it is by the said recited Act further enacted, "That at every contested Election for any County, or Riding, Parts, or Division of a County, the Sheriff, Under Sheriff, or Sheriff's Deputy s. 64.

shall, if required thereto by or on behalf of any Candidate, on the day fixed for the Election, and if not so required may, if it shall appear to him expedient, cause to be erected a reasonable number of Booths for taking the Poll at the principal place of Election, and also at each of the polling places so to be appointed as aforesaid, and shall cause to be affixed on the most conspicuous part of each of the said Booths the names of the several Parishes, Townships and Places for which such Booth is respectively allotted; and no Person shall be admitted to vote at any such Election in respect of any property situate in any Parish, Township or Place, except at the Booth so allotted for such Parish, Township or Place; and if no Booth shall be so allotted for the same, then at any of the Booths for the same District; and in case any Parish, Township or Place shall happen not to be included in any of the Districts to be appointed, the Votes in respect of property situate in any Parish, Township or Place so omitted shall be taken at the principal place of Election for the County, or Riding, Parts or Division of the County, as the case may be:"

s. 65. And whereas it is by the said recited Act further enacted, "That the Sheriff shall have power to appoint Deputies to preside and Clerks to take the Poll at the principal place of Election, and also at the several places appointed for taking the Poll for any County, or any Riding, Parts, or Division of a County; and that the Poll Clerks employed at those several places shall, at the close of each day's Poll, inclose and seal their several books, and shall publicly deliver them, so inclosed and sealed, to the Sheriff, Under Sheriff, or Sheriff's Deputy presiding at such Poll, who shall give a receipt for the same, and shall, on the commencement of the Poll on the second day, deliver them back, so inclosed and sealed, to the person from whom he shall have received them; and on the final close of the Poll every such Deputy who shall have received any such Poll-books shall forthwith deliver or transmit the same, so inclosed and sealed, to the Sheriff or his Under Sheriff, who shall receive and keep all the Poll-books unopened until the re-assembling of the Court on the day next but one after the close of the Poll, unless such next day but one shall be Sunday, and then on the Monday following, when he shall openly break the seals therein, and cast up the number of Votes as they appear on the said several Books, and shall openly declare the state of the Poll, and shall make proclamation of the Member or Members chosen, not later than Two of the clock in the afternoon of the said day:"

s. 69. And whereas it is by the said recited Act provided and enacted, "That so far as relates to the several Boroughs of New Shoreham, Cricklade Aylesbury and East Retford, as defined by this Act, the said

said several Boroughs shall be divided into convenient Districts for polling, and there shall be appointed in each District a convenient Place for taking the Poll at all Elections of Members to serve in any future Parliament for each of the said Boroughs, which Districts and Places for taking the Poll shall be settled and appointed by an Act to be passed in this present Parliament:"

And whereas it is by the said recited Act further enacted, "That from and after the end of this present Parliament all Booths erected for the convenience of taking Polls shall be erected at the joint and equal expense of the several Candidates, and the same shall be erected by contract with the Candidates, if they shall think fit to make such contract, or if they shall not make such contract then the same shall be erected by the Sheriff or other Returning Officer, at the expense of the several Candidates as aforesaid, subject to such limitation as hereinafter next mentioned; (that is to say) that the expense to be incurred for the Booth or Booths to be erected at the principal places of Election for any County, Riding, Part or Division of a County, or at any of the Polling Places so to be appointed as aforesaid, shall not exceed the sum of Forty Pounds in respect of any one such Polling Places; and that the expense to be incurred for any Booth or Booths to be erected for any Parish, District, or Part of any City or Borough, shall not exceed the sum of Twenty-five Pounds in respect to any one such Parish, District, or Part; and that all Deputies appointed by the Sheriff or other Returning Officer shall be paid each Two Guineas by the day, and all Clerks employed in taking the Poll shall be paid each One Guinea by the day, at the expense of the Candidates at such Election: Provided always, That if any Person shall be proposed without his consent, then the Person so proposing him shall be liable to defray his share of the said expenses, in like manner as if he had been a Candidate: Provided also, That the Sheriff or Returning Officer may, if he shall think fit, instead of erecting such Booth or Booths as aforesaid, procure or hire and use any Houses or other Buildings for the purpose of taking the poll therein, subject always to the same regulations, provisions, liabilities and limitations of expense as are hereinbefore mentioned with regard to Booths for taking the Poll:" s. 71.

And whereas by an Act passed in the second and third year of the reign of His present Majesty, intituled, "An Act to settle and describe the Divisions of Counties and the Limits of Cities and Boroughs in England and Wales, in so far as respects the Election of Members to serve in Parliament," and commonly called "The Boundary Act," it is enacted, "That the Poll for the Election of Knights of the Shire shall be taken at such Places as in the Schedule to this Act annexed, marked (N.), are mentioned in conjunction with the names of the Counties, and of the Ridings, Parts and Divisions of Counties, in which such Places are respectively situated: 2 & 3 W. 4. c. 64. s. 29.

s. 32. And whereas it is by the said Boundary Act further enacted, "That the Poll for the Election of Members to serve in Parliament for the said several Boroughs of New Shoreham, Cricklade, Aylesbury, and East Retford shall be taken at the place or places which in the Schedule to this Act annexed, marked (N. 2), is or are mentioned in conjunction with the names of such several Boroughs respectively :

And whereas it is expedient, in order to the better carrying into effect the purposes aforesaid, that so much of the said Enactments, Declarations and Provisions of the said recited Acts as is hereinbefore recited and set forth, should be repealed, and other Enactments, Declarations and Provisions made in lieu thereof; **Be it Enacted**, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT so much of the said Acts as is hereinbefore recited shall be and the same is hereby Repealed.

1. Recited Enactments of Reform and Boundary Acts repealed.

2. County Polling Places, where to be.

And be it Enacted, That at every contested Election of a Knight of the Shire, the Polls for such Election shall be taken at the several Places which shall be appointed and named for that purpose by the Justices of the Peace for the several Counties, Ridings and Parts of Counties, in the manner hereinafter in that behalf directed.

3. Polling Places and Districts to be appointed in Counties by the Justices.

And be it Enacted, That the Justices of the Peace for every County, and for every Riding, Parts or Division of a County, assembled at the Quarter Sessions holden next after the *passing of this Act*, or at some Special Sessions then to be appointed by them to be holden on or before the *First* day of *November* in the present year, and in any succeeding year, if they shall think fit, at some Special Sessions to be appointed by them at the Michaelmas Quarter Sessions in such year, shall appoint and name, in addition to and inclusive of the principal Place of Election for the particular County, Riding, Parts or Division of a County, such Places as to them shall seem expedient for taking the Poll at Elections of a Knight of the Shire; and such Justices shall then and there divide such County, Riding, Parts or Division into convenient Districts for Polling, and shall assign one of such Districts to every Polling Place which they shall have so appointed and named as aforesaid, without reference (except where they shall so think fit) to any existing division and assignment of Districts; and a new List, naming and describing the principal place of Election, and the other Polling Places for every County, Riding, Parts and Division, which they shall have so appointed and named as aforesaid, and also naming and describing the several Districts which such Justices shall have so assigned to the principal place of Election, and to every other such Polling Place as aforesaid, shall be forthwith lodged with the Clerk of the Peace for the particular

Lists to be made.

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particular County, Riding, Parts or Division, who shall forthwith cause the same to be submitted to His Majesty, in order to have His sanction and approval thereof, by and under the advice of His most Honourable Privy Council; and when the same shall have been so sanctioned and approved of, the Clerk of the Peace shall forthwith cause such List to be published in the London Gazette, and also in one Newspaper generally circulated in such County, and shall also forthwith cause copies of the same to be printed, and shall deliver a true copy of such List to every Person who shall apply for the same, upon payment of *One* shilling for each copy; and no such appointment of Polling Places, or division and assignment of Districts which shall be so made, shall be of any force or effect until after the expiration of *One* calendar Month from the time of the List, naming and describing the same, being so published in the London Gazette, at the expiration of which calendar Month, the appointment of Polling Places, and the division and assignment of Districts so made by such Justices, shall commence and take effect.

To be approved by the King in Council.

List to be published in the London Gazette.

4. Polling Places for New Shoreham, &c.

And be it Enacted, That the Poll for the Election of Members to serve in Parliament for the several Boroughs of New Shoreham, Cricklade, Aylesbury and East Retford, shall be taken at the several Places which shall be appointed and named for that purpose by the Justices of the Peace for the several Counties wherein such Boroughs are situated respectively, in the manner hereinafter in that behalf directed.

5. Polling Places and Districts for New Shoreham, &c.

And be it Enacted, That the Justices of the Peace for the respective Counties in which the said several Boroughs of New Shoreham, Cricklade, Aylesbury and East Retford are situated, shall, when assembled at the Quarter Sessions to be holden next after the *passing of this Act*, or at some Special Sessions to be appointed by them so assembled as aforesaid, which shall be holden on or before the *First* day of *December* in the present year, and in any succeeding year, if they shall think fit, at some Special Sessions to be appointed by them at the Michaelmas Quarter Sessions in such year, appoint and name such places within the said several four last-mentioned Boroughs respectively as to them shall seem expedient for taking the Polls at Elections for each of such Boroughs respectively; and such Justices shall then and there divide the said Boroughs respectively into convenient Districts for polling, and shall assign One of such Districts to every such Polling Place which they shall have appointed and named as aforesaid, without reference (except where they shall so think fit) to any existing division and assignment of Districts within the four last-mentioned Boroughs; and a new List, naming and describing the several Polling Places for said four last-mentioned Boroughs respectively, which they shall have so appointed and named as aforesaid, and also naming and describing

List to be made.

the several Districts which such Justices shall have so assigned to such several Polling Places as aforesaid, shall be forthwith lodged with the Returning Officer of each such Borough respectively, who shall forthwith cause the same to be transmitted to His Majesty, in order to His sanction and approval thereof, by and under the advice of His most Honourable Privy Council, and when the same shall have been so sanctioned and approved of, the Returning Officer for each such Borough respectively shall forthwith cause such List to be published in the London Gazette, and also in some Newspaper circulated in the said several Boroughs, and shall also cause copies thereof to be printed and to be fixed on the doors of the several Churches and Chapels within the particular Borough for which such Polling Places shall have been appointed and named, and Districts assigned as aforesaid; and no such appointment of Polling-places, or division and assignment of Districts within such four last-mentioned Boroughs, or any of them, shall be of any force or effect until after the expiration of *One* calendar Month from the time of the List, naming and describing the same, being so published in the London Gazette and Newspaper as aforesaid, at the expiration of which calendar Month, as the appointment of Polling Places and division and assignment of Districts for such four last-mentioned Boroughs so made by such Justices as aforesaid shall commence and take effect, and thereupon the present division into Districts of such four last-mentioned Boroughs, and the assignment of one of such Districts to every Polling Place for each of such Boroughs mentioned in the Schedule marked (N. 2.) to the said Boundary Act annexed, shall cease and be void.

6. The King in Council may alter appointment of Polling Places, &c.

And be it Enacted, That if His Majesty, by and under the advice of His most honourable Privy Council, shall be pleased to order any addition or alteration to be made in any appointment of Polling Places, or division and assignment of Districts which shall have been so submitted to him as aforesaid, such addition or alteration shall be made accordingly, and the List naming and describing such Polling Places and Districts shall be made conformable thereto; and in case His Majesty, by and under such advice as aforesaid, shall refuse to sanction and allow any such appointment of Polling Places, or division and assignments of Districts, or to add to or alter the same, the Justices of the Peace for the particular County, Riding or Parts, and in the case of the Isle of Ely, the Justices of the Peace for said Isle, and in the case of any one of the Boroughs of New Shoreham, Cricklade, Aylesbury and East Retford, the Justices of the Peace for the County wherein such Borough is situated, when assembled at the Quarter Sessions of the Peace to be holden next after the time when His Majesty, by and under such advice as aforesaid, shall have refused to sanction and allow any such appointment, division or assignment, or to add to or alter the same, shall make a new appointment of Polling Places,

Justices to make new appointments of Polling Places, &c. in case the King in Council refuse to sanction former Appointment

Places, and division and assignment of Districts in the manner hereinbefore in that behalf directed; and thereupon a new List, naming and describing the same, shall forthwith be lodged with the Clerk of the Peace or Returning Officer, as the case may be, and shall be submitted to His Majesty, in order to His sanction and approval thereof, by and under the advice of His most Honourable Privy Council, in manner aforesaid, and so on from time to time until an appointment of Polling Places and division and assignment of Districts shall have been duly sanctioned and approved of by His Majesty, by and under such advice as aforesaid, whereupon the same shall take effect in the same manner, and subject to the same enactments, limitations and provisions as are hereinbefore enacted and provided with respect to the original appointment of Polling Places and division and assignment of Districts so directed to be made as aforesaid.

Such new Appointments to be finally approved by the King in Council.

7. And be it Enacted, That the Justices of the Peace for every County, Riding or parts of a County, and in the case of the Isle of Ely, the Justices of the Peace for the said Isle, and in the case of the Boroughs of New Shoreham, Cricklade, Aylesbury and East Retford, the Justices of the Peace for the respective Counties wherein those Boroughs are situated, when assembled at the Epiphany Quarter Sessions in any year, shall, upon receiving a request in writing in that behalf, signed by the Sheriff of the particular County, Riding, Parts or Division, or by the Returning Officer of any one of such Boroughs, or by not fewer than *One hundred* Electors, whose names shall be upon the Register of Voters for the particular County, Riding, Parts or Division, or for such particular Borough in force for the then current year (provided such request, so signed as aforesaid, be delivered to the Clerk of the Peace for the particular County, Riding or parts of a County, or for the Isle of Ely, as the case may be, *Fourteen* days before such Sessions shall be holden), if they shall so think fit, add to, vary or alter the then existing appointment and assignment of Polling Places and Districts, in such manner as to them shall seem expedient; and in all cases where any such variation, alteration or addition shall have been so made by such Justices, a new List, naming and describing the Polling Places, and the division and assignment of Districts, according to such alteration, variation or addition, shall be forthwith made, and such variation, addition and alteration of Polling Places or Districts, and also such new Lists, shall be subject, with regard to the approval thereof by His Majesty, by and under the advice of His most Honourable Privy Council, and in every other respect, to the same enactments, limitations and provisions as the original appointment of Polling Places, and division and assignment of Districts, and the List describing the same which shall have been first made under the provisions of this Act.

Power in Justices to alter the Polling Places and Districts.

8. New Polling Places to be subject to same provisions as old ones, except where expressly altered.

And be it Enacted, That the Polling Places hereby settled and appointed, and the Districts, Booths and compartments of Booths, to be erected and provided according to this Act, shall be subject to the same enactments, regulations and provisions as Polling Places, Districts, Booths and compartments of Booths, would be by or according to any law or statute now in force if this Act were not passed, except so far as the same is hereby altered or repealed; and all laws, statutes and usages now in force respecting the Election of Members to serve in any Parliament for that part of the United Kingdom called England and Wales, shall be and remain, and are hereby declared to be and remain, in full force, except so far as any of the said laws, statutes or usages are repealed or altered by this Act, or are inconsistent with the provisions thereof.

9. Elections for Counties how to be conducted until Polling Places and Districts are appointed.

And be it Enacted, That in every case of a contested Election for any County or Riding, Parts or Division of a County, or for any of the Boroughs of New Shoreham, Cricklade, Aylesbury and East Retford, which shall take place before the Justices of the Peace assembled as hereinbefore directed shall have appointed and named Places for taking the Poll, and shall have divided such County, Riding, Parts or Division of a County, or any of such Boroughs respectively (as the case may be), into Districts, and assigned one of such Districts to every Polling Place, according to the enactments and provisions hereinbefore in that behalf contained, such Election shall proceed in all respects in the same manner, and according to the same rules, regulations and provisions, as if this Act were not passed: Provided nevertheless, That at any such contested Election for any County or Riding, Parts or Division, or for any of the said four above-mentioned Boroughs, all and every the enactments and declarations in this Act contained with respect to the carriage or conveyance of Voters to or from the Poll, or to or from any Place for the purpose of polling, or with respect to the refreshment or entertainment of Voters, and the penalties hereinbefore in that behalf imposed, shall apply, be in force and attach as fully and in the same manner as at any other contested Election which may take place from and after the *passing of this Act*.

10. Booths how to be provided at Elections for Counties.

And be it Enacted, That at every contested Election for a Knight of the Shire, the Sheriff, Under Sheriff or Sheriff's Deputy, shall, if required thereto by or on behalf of any Candidate, or by or on behalf of any Elector who shall have proposed any Candidate on the day fixed for the Election, and if not so required may, if it shall appear to him expedient, cause to be erected at the principal place of Election, a convenient Hustings, and also at the several Polling Places appointed and named for that purpose in the manner hereinbefore directed, and not elsewhere, a reasonable number of Booths for taking the Poll, and shall

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shall cause to be affixed on the most conspicuous part of each of the said Booths, the names of the several Parishes, Townships and Places for which such Booth is respectively allotted, and no Person shal be admitted to vote at any such Election except at the Booth allotted for the Parish, Township or Place within which the Property in respect of which he is admitted to vote is situated, or at the Booth allotted for him by the Revising Barrister in the Register of Electors; and if no Booth shall be so allotted for the same, at some one of the Booths for the same District; and in case any Parish, Township or Place shall happen not to be included in any District, the Votes in respect of any property situate in any Parish, Township or Place so omitted shall be taken at the principal place of Election for the County, Riding, Parts or Division of a County, as the case may be: Provided always, That the number of Booths so to be erected as aforesaid shall be in the proportion of at least one Booth to every Three hundred Persons entitled to poll thereat, according to the directions and provisions aforesaid.

11. Provision as to Sheriffs' Deputies, the custody of Poll Books, and declaration of the Poll for Counties.

And be it Enacted, That the Sheriff shall have power to appoint Deputies to preside, and Clerks to take the Poll at the principal place of Election, and also at the several places which shall have been appointed in manner hereinbefore directed, for taking the Poll for any County, or any Riding, Parts or Division of a County; and the Poll Clerks employed at those several places shall at the final close of the Poll publicly and openly inclose and seal their several Books, and forthwith deliver or transmit them so inclosed and sealed to the Sheriff, Under Sheriff or Sheriff's Deputy presiding at such Poll, who shall give a Receipt for the same, and every such Deputy who shall have received any such Poll-books, shall forthwith deliver or transmit the same so inclosed and sealed to the Sheriff or his Under Sheriff, and such Sheriff or Under Sheriff shall keep such Poll-books unopened until the re-assembling of the Court on the next day after the close of the Poll, unless such next day shall be Sunday, and then on the Monday following, when he shall openly break the seals thereon, and cast up the number of Votes as they appear on the said several Books, and shall openly declare the state of the Poll, and shall make proclamation of the Member or Members chosen not later than *Two* of the clock on the afternoon of the said day: Provided always, That it shall be lawful for any Sheriff or Under Sheriff at any such Election (if he be able and willing so to do) with the consent of all the Candidates or Electors who shall have proposed such Candidates, or their agents, thereunto fully authorized by them in writing in that behalf, to break open the seals of such Poll-books, to cast up the number of Votes, to declare the state of the Poll, and to make proclamation of the Member or Members chosen on the same day on which the said Poll shall have closed: Provided also,

That such Sheriff or Under Sheriff may, in the presence of all the Candidates, or Electors who shall have proposed such Candidates, or of their agents by them thereunto fully authorized in writing, break open the seals of the said Poll-books, and cast up and ascertain the number of Votes as they shall appear on such several Books upon the Hustings, or in any other convenient place at any time after the final close of the Poll before the time hereinbefore fixed and limited for declaring the state of the Poll and making proclamation of the Member or Members returned.

12. Houses may be used for Polling instead of Booths.

Provided always, and be it Enacted, That every Sheriff or other Returning Officer, may if he shall so think fit, instead of erecting such Booth or Booths as aforesaid, procure or hire and use any houses or other buildings for the purpose of taking the Poll therein, subject always to the same regulations, provisions, liabilities and limitations of expense as Booths to be erected for taking the Poll.

13. Returning Officer may fix Booths in Streets, &c.

And be it Enacted, That no Sheriff or other Returning Officer either for County or Borough, nor any Person employed by or acting under the authority of such Sheriff or other Returning Officer, shall be prevented from erecting any Booth or Booths for taking the Poll in any public Street, Highway, Square or other open place, nor from breaking the soil or pavement of any such public Street, Square, Highway, or other open place for that purpose, nor be liable to any action at law, or to be indicted for any nuisance in respect of any such act, nor for any damage done in consequence of erecting any such Booth or Booths:

Proviso.

Provided always, That such Sheriff or other Returning Officer shall, within a reasonable time after the Election, repair and make good the damage so done to such soil, pavement or otherwise.

14. Expenses of Booths, &c. how to be defrayed.

And be it Enacted, That every Sheriff who shall have caused to be erected any Hustings or Booths for taking the Poll at any contested Election for a Knight of the Shire, or who shall have hired any house or other building for that purpose, shall be reimbursed to the full amount of the expense incurred in erecting such Hustings or Booths, or hiring such house or other building: Provided always, That the same do not exceed in any case the sum of *Forty* Pounds in the whole in respect of the principal place of Election for such County, Riding, Parts or Division (including therein any cost or charge in respect of Hustings); and the sum of *Twenty-five* Pounds in the whole in respect of any other polling place for such County, Riding, Parts or Division, whatever the number of Booths thereat may be; and every Returning Officer for any City or Borough, who shall have caused to be erected any Hustings or Booths for taking the Poll at any contested Election for any such City or Borough, or hired any house or other building for that purpose, shall be reimbursed to the full amount of the expense incurred

incurred in erecting such Booth or Booths, or in hiring such house or other building: Provided always, That the same shall not exceed the sum of *Twenty-five* Pounds in the whole for any one Booth, house or other building; and all Sheriffs and all Returning Officers for all the Cities and Boroughs, shall be reimbursed to the full amount of the expense incurred in the employment of Deputies and Clerks to take the Poll at any contested Election: Provided always, That the expense of each Deputy shall not exceed *Two* Guineas, and that the expense of each Clerk employed in taking the Poll shall not exceed *One* Guinea; and every Sheriff and other Returning Officer shall, in case of a contest, over and above the expenses hereinbefore specified, be reimbursed to the full amount of the sum which shall have been incurred in respect of Poll-books, Stationery, Advertisements, Proclamations, and other contingent expenses of such Election: Provided always, That the same shall not exceed the sum of *Five* Pounds in the whole for the principal place of Election, and the like amount for each other polling place, and the like amount for any Booth, house or other building erected or hired at any Election for any City or Borough; and at every Election for a Knight of the Shire, when there shall not have been any contest nor any Booth or Booths erected, or Poll taken, the Sheriff shall be reimbursed the full amount of the expenses incurred by him for Stationery, Advertisements, Proclamations and other contingent expenses of such Election; provided the same do not in any case exceed in the whole the sum of *Ten* Pounds; and the amount of the several sums so to be repaid to any Sheriff as hereinbefore directed, shall be paid by the Treasurer of the particular County, Riding or Parts out of any public money in his hands, and he shall be allowed all such payments in his accounts; and the amount of the several sums so to be repaid to any Returning Officer for any City and Borough, shall be paid to him by the Overseers of the Poor of the several Parishes and Townships within such City or Borough, out of the money collected for the Relief of the Poor in such Parishes or Townships in proportion to the number of persons placed on the Register of Voters for each Parish or Township, provided that no such sums as hereinbefore mentioned shall be repaid to any Sheriff or other Returning Officer, unless the accounts thereof shall have been laid before the Justices of the Peace at the next Quarter Sessions after the expenses shall have been incurred, and shall have been allowed by the Court, or, in the case of Cities or Boroughs, before the Mayor Aldermen and Burgesses (or other Persons forming the Body Corporate, by whatever name, style or title they may be called) at a meeting summoned for the purpose, and of which due notice shall have been given.

15. Persons voting twice at the same Election, guilty of a Misdemeanor.

And be it Enacted, That if any Person shall vote twice at the same Election, or having already voted, shall tender or offer his Vote again at the same Election, or shall personate any Elector, such Person shall

be guilty of a Misdemeanor, and shall, upon being convicted thereof, be punishable with imprisonment with hard labour for the period of *Three* calendar Months.

16. The Statute of 7 & 8 Geo. 4. still in force.

AND whereas doubts have arisen whether an Act passed in the seventh and eighth years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to make further Regulations for preventing corrupt Practices at Elections of Members to serve in Parliament, and for diminishing the Expense of such Elections" is still in force; FOR the removing of such doubts, BE it Enacted and Declared, That the same is still in full force and effect, and not in any way repealed.

17. Penalty for Counsel, Agent or Attorney voting at Elections.

And be it Enacted, That if any Person who shall have been employed at any Election of a Member or Members of Parliament, either during such Election, or within *Six* calendar Months previous to such Election, or within *Fourteen* Days after it shall have been completed, as Counsel, Agent, Attorney, Poll Clerk, Flagman or in any other capacity, and who shall at any time either before, during or after such Election accept or take from any Candidate or Candidates, or from any Person whatsoever, for or in consideration of or with reference to such employment any sum or sums of money, retaining fee, office, place or employment shall vote at such Election, every such Person so employed as Counsel, Agent or Attorney as aforesaid, and voting contrary to this enactment or to any enactment of the last-recited Act, shall forfeit and pay the sum of *Fifty* Pounds to any Person who shall sue for the same in any of His Majesty's Courts of Record at Westminster; and every such Person so employed as Poll Clerk, Flagman or in any other capacity as aforesaid, and voting contrary to this enactment, or to any enactment of the last-recited Act, shall forfeit and pay the sum of *Twenty* Pounds to any Person who shall sue for the same in any of His Majesty's Courts of Record at Westminster: Provided always, That no such Action shall be brought later than *Twelve* calendar Months after the time of committing any such Offence.

Penalty for Poll Clerk, Flagman or other Person voting.

18. Expense of conveying Electors to Poll, or of entertaining them, unlawful.

AND whereas Candidates at Elections have been put to great costs and charges in and about the conveyance of Voters to and from the Poll, and for their refreshment at or during such Election: AND whereas doubts have arisen as to the legality of payments in respect of such costs and charges, and it is expedient that such doubts should be removed; BE it therefore Enacted, That all payments for or in respect of the carriage or conveyance of any Voter or Voters to or from the Poll, or to or from any place or places for the purpose of polling or returning from polling at any Election, or for any refreshment or entertainment of any Voter or Voters during such Election, or going to or returning from the Poll, which shall hereafter be made by any Candidate,

didate, or any Agent of any Candidate on his behalf, at such Election, shall be and the same are hereby declared to be illegal; and any Person who shall for himself or on behalf of any other Person demand or receive from any Candidate or from any Agent of any Candidate in that behalf, any sum of money, security or other valuable thing, for or in respect of any cost, charge or expense incurred, or to be incurred, in being conveyed or in conveying any Voter, or Person claiming to be a Voter, to or from the Poll at any Election, or to or from any place for the purpose of polling or returning from polling at any Election, or for any refreshment or entertainment of any Voter or Voters after the teste of the Writ, during such Election, or going to or returning from the Poll, or any Candidate or any Agent of any Candidate in that behalf who shall voluntarily, or at the demand or request of any other Person, pay or deliver any such sum of money, security or other valuable thing for or in respect of any such cost, charge or expense, shall forfeit and pay the *Treble* value of every such sum of money, security or other valuable thing so demanded, received, paid or delivered to any Person who shall sue for the same in any of His Majesty's Courts of Record at Westminster, together with full costs of suit: Provided that no such action shall be commenced after the period of *Two* Years shall have elapsed from the time of such demand, receipt, payment or delivery.

Penalty.

19. What other Expenses are illegal.

AND whereas divers demands have been made upon Candidates at Elections, by Sheriffs, Under Sheriffs, Returning Officers, Clerks of the Peace, Town Clerks, and other Persons, for money claimed to be due in respect of the employment of Assessors, and other legal advisers, Sheriffs, Under Sheriffs, Returning Officers, Clerks of the Peace, Town Clerks, Sheriffs' Messengers, Special Constables, and other Peace Officers for keeping the peace at Elections, Stewards' Bailiffs, Serjeants-at-Mace, Magistrates' Clerks, Beadles, Criers, and other officers and persons employed at Elections, for receiving the Writ of Election and making the Return thereto; and in respect of charges for the attendance of Solicitors at such Elections; and in respect of expenses incurred in coach-hire, tavern and other personal expenses for stationery and printing, and in other various matters incidental to and connected with the proceedings at Elections: AND whereas no Candidate ought to be subjected to any such demands; BE it Enacted and Declared, That no Sheriff, Under Sheriff, Sheriff's Deputy, Returning Officer, Clerk of the Peace, Town Clerk, Assessor or other legal adviser of a Returning Officer, Steward, Bailiff, Serjeant-at-Mace, Sheriff's Messenger, Magistrate's Clerk, Beadle, Crier, Constable, or other officer or person officially employed at any future Election, shall demand or receive from any Candidate any gratuity, fee or reward, or any money, security or valuable thing whatsoever, for or in respect of any service or work performed, or to be performed, or pretended to

have been performed, at any such Election, either by himself or by any oth Person employed by or under his direction; nor shall any other Person so employed by or under such direction demand, or receive from any such Candidate any gratuity, fee or reward, or any money, security or valuable thing whatsoever, in respect of any service or work performed, or to be performed, or pretended to have been performed, at any such Election; nor shall any of the Officers or Persons aforesaid, or Persons employed by or under the direction of any such Officer or other Person aforesaid, demand or receive from any Candidate any money, security or valuable thing whatsoever, for goods supplied, or to be supplied, or pretended to have been supplied, or for or in respect of any money advanced or paid, or to be advanced or paid, or pretended to have been advanced or paid, or for or in respect of any expenses or liabilities incurred, or to be incurred, or pretended to have been incurred, in, about or relating to any such Election, or any proceeding thereat; nor shall any Candidate, or Person acting as the Agent of any Candidate in that behalf, either voluntarily or at the demand or request of any other Person, give, pay or deliver any such gratuity, fee, reward, money, security or other valuable thing for or in respect of any such service or work performed, or to be performed, or pretended to have been performed, goods supplied, or to be supplied, or pretended to have been supplied, money advanced or paid, or to be advanced or paid, or pretended to have been advanced or paid, expense or liability incurred, or to be incurred, or pretended to have been incurred respectively, in, about or relating to any such Election or any proceeding thereat; and any such Officer or other Person as aforesaid, or Person employed by or under the direction of any such Officer or other Person aforesaid, who shall demand or receive from any Candidate any such gratuity, fee, reward, money, security or other valuable thing, for or respect of any such service or work performed, or to be performed, or pretended to have been performed, goods supplied, or to be supplied, or pretended to have been supplied, money advanced or paid, or to be advanced or paid, or pretended to have been advanced or paid, expense or liability incurred, or to be incurred, or pretended to have been incurred respectively, in, about or relating to any such Election, or any proceeding thereat, or any Candidate, or Person acting for or as the Agent of any Candidate in that behalf, who shall voluntarily, or at the demand or request of any other Person, give, pay or deliver any such gratuity, fee, reward, money, security or other valuable thing, for or in respect of any such service or work performed, or to be performed, or pretended to have been performed, goods supplied, or to be supplied, or pretended to have been supplied, money advanced or paid, or to be advanced or paid, or pretended to have been advanced or paid, expense or liability incurred, or to be incurred, or pretended to have been incurred respectively, in, about or relating to any such

Election

Election or proceeding thereat, shall forfeit and pay *Treble* the value of every such gratuity, fee, reward, sum of money, security or valuable thing, so demanded, received, paid or delivered to any Person who shall sue for the same in any of His Majesty's Courts of Record at Westminster, together with full costs of suit: Provided always, That no such Action shall be commenced after the period of *Two* Years shall have elapsed from the time of such demand, receipt, payment or delivery: Provided also, That nothing herein contained shall extend to or affect any payment or right of demand authorized by this Act.

20. Returns not liable to Stamp Duty.

And be it Enacted and Declared, That no indenture, writing, or other instrument whatever containing the Return of any Member or Members to serve in Parliament shall be liable to any Stamp Duty, or to any other Government Duty whatsoever.

21. Returns, &c. to be sent by Post free of Postage

And be it Enacted, That the Returns of any Writs of Election, Indentures of Return, Precepts for Elections and Returns thereof shall from and after the *passing of this Act* be sent by the General Post to the proper Officer entitled to receive or keep the same, and that no Postage shall be chargeable or paid in respect thereof.

22. Giving Meat, Drink or Provision.

And be it further Enacted, That if any Person shall by himself, or by or with any Person, or by any ways, means or devices, or under any colour, excuse or pretence whatsoever, directly or indirectly, give, present, allow, provide or procure, or promise, engage or agree to give, present, allow, provide or procure any meat, drink, entertainment or provision to or for any Person, with the intent or for the purpose of thereby corruptly influencing such or any other Person to give or to refuse or forbear to give his Vote in any Election, or for the purpose of corruptly recompensing such or any other Person for having given or refused or forborne to give his Vote in any Election, every Person so offending in any respect shall for every such offence forfeit the sum of *Fifty* Pounds.

23. Giving Meat, Drink, &c. during certain Days.

And be it Enacted, That if any Person who shall offer himself or shall be proposed as a Candidate at any Election, shall directly or indirectly provide or allow, or at any time defray the expense of any meat, drink, provision or entertainment, which shall be or shall have been furnished to any Person attending merely as a Voter on the day or days on which any such Election or any Polling shall be had and held, such providing, allowing or defraying shall be deemed and taken as sufficient evidence that such meat, drink, entertainment or provision was corruptly given, unless the contrary be proved.

24. Giving Cockades.

And be it further Enacted, That if any Person who shall be proposed as a Candidate at any Election, shall by himself or by any other

Person, directly or indirectly, give or allow, or cause to be given or allowed to any Person any cockade, riband or other mark of distinction, with reference to such Election, he shall forfeit the sum of *Ten* Pounds for each offence.

25. Penalty on Officers for breach of Duty.

And be it Enacted, That if any Sheriff, Returning Officer, Deputy or any Person whatsoever officially employed, shall wilfully contravene or disobey the provisions of this Act or any of them, with respect to any matter or thing which such Sheriff, Returning Officer, Deputy or other official Person is hereby required to do, he shall for such his offence be liable to be sued in an action of debt in any of His Majesty's Courts of Record at Westminster, for the penal sum of *Five hundred* Pounds; and the Jury before whom such action shall be tried may find their Verdict for the full sum of *Five hundred* Pounds, or for any less sum which the said Jury shall think it just that he should pay for such his offence, and the defendant in such action being convicted shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same: Provided always, That no such action shall be brought, except by a Person being an Elector or a Candidate, or a Member actually returned, or other party actually aggrieved: Provided also, That the remedy hereby given against the Returning Officer shall not be construed to supersede any remedy or action against him according to the law now in force; and Provided also, That such action shall be brought within *Three* Mon th after the offence was committed.

26. Construction of Act.

And be it Enacted, That throughout this Act, wherever the words "City or Borough," "Cities or Boroughs," "Returning Officer," "Parish or Township." "Overseers of the Poor," shall occur in this Act, such words shall be taken to be used in the same sense and to have the same force and meaning as such words respectively are by the said first hereinbefore recited Act declared to have whenever the same occur in that Act; and that all provisions in this Act relative to any matters to be done by or with regard to Justices of the Peace for Counties, or Sessions of the Peace for Counties, or Clerks of the Peace for Counties, or Treasurers of Counties, shall extend to the Justices, Sessions, Clerks of the Peace and Treasurers of the several Ridings of Yorkshire and parts of Lincolnshire, and Isle of Ely; and that the Clerk of the Peace for the time being for the Borough of Newport, in the Isle of Wight, shall for the purposes of this Act be deemed and taken to be the Clerk of the Peace for the County of the Isle of Wight; and that all the said respective Justices, Sessions and Clerks of the Peace shall have power to do the several matters required by this Act, as well within Places of exclusive jurisdiction as without; and that no misnomer or inaccurate description of any Person or Place named or described in this Act or in any Schedule hereto

hereto annexed, shall anywise prevent or abridge the operation of his Act with respect to such Person or Place: Provided that such Person or Place shall be so designated as to be commonly understood.

27. Recovery of Penalties.

And be it Enacted, That all penalties and forfeitures by this Act imposed, shall and may be recovered, together with full costs of suit, by any Person who will sue for the same in an action of debt in any of His Majesty's Courts of Records at Westminster

28. Act to apply to England and Wales.

And be it Enacted, That this Act shall extend and apply only to England and Wales, except where it is expressly declared to the contrary.

29. Act may be altered this Session.

And be it Enacted, That this Act may be amended by any Act to be passed during this Session of Parliament.

Election Expenses.

A

B I L L

To regulate the Expenses at Elections of Members to serve in Parliament for England and Wales.

(*Prepared and brought in by Mr. Hume and Mr. Aglionby.*)

Ordered, by The House of Commons, *to be Printed,*
8 *February* 1836.

A

B I L L

To prevent Threats and Intimidation in the Election of Members to serve in Parliament.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS it is found by experience that Threats and Intimidation are frequently resorted to in the Election of Members to serve in the Commons' House of Parliament, and that by reason thereof the Return of Members to Parliament is not (as it should be) the result of the free, deliberate and spontaneous act of the Persons in whom the right of voting is vested: FOR Remedy whereof, and that such vicious practices may, as far as possible, be prevented and restrained; BE it Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT if any Person shall, by words, writing, printing or otherwise howsoever, offer or threaten violence or injury to the person or property of any person having a right to vote at any such Election, or of any persons connected with him by marriage, affinity or otherwise, or shall threaten to do or occasion to him or them any injury, loss or disadvantage in his or their profession, trade, business or worldly affairs, or that any such violence, injury, loss or disadvantage as aforesaid, shall be done by any Person or Persons whatsoever, or shall by any other threats whatsoever intimidate, or attempt to intimidate, any person having such right as aforesaid, in order to induce him to vote, or to deter him from voting at any such Election as aforesaid, every Person so offending shall, on being thereof convicted by due course of law, be adjudged guilty of a *Misdemeanor*, and thereupon it shall and may be lawful for the Court by or before whom such offender shall have been so tried and convicted, to sentence such offender to Fine and Imprisonment, or both, at the discretion of the Court; and in case Imprisonment shall be

Preamble.

1. Penalties for intimidating, or attempting to intimidate Electors.

be the sentence, or part of the sentence, then either with or without hard labour; and also that it shall be lawful for such Court (in case any Person shall have previously been convicted of such offence as aforesaid) to sentence any such offender to be imprisoned for the term of *Two* Years.

2. Persons convicted to be for ever incapacitated to vote.

And be it further Enacted, That every Person convicted under and in pursuance of this Act, shall be for ever disabled and incapacitated to vote in any Election of any Member or Members to serve in Parliament in the United Kingdom of Great Britain and Ireland.

Intimidation of Voters.

A

B I L L

To prevent Threats and Intimidation in the Election of Members to serve in Parliament.

(Prepared and brought in by Mr. Poulter and Mr. Hawes.)

Ordered, by The House of Commons, *to be Printed,*
23 *February* 1836.

A

B I L L

For shortening the Time of taking the Poll at County Elections.

[Note.—The Words printed in *Italics* are proposed to be inserted by the Committee.]

WHEREAS by an Act passed in the second and third year of the reign of His present Majesty King WILLIAM the Fourth, intituled, "An Act to settle and determine the Divisions of Counties, and the Limits of Cities and Boroughs in England and Wales, in so far as respects the Election of Members to serve in Parliament," it is, among other things, enacted, that the Poll for the Election of Knights of the Shire shall be taken at such places as in a certain Schedule to the said Act annexed, marked (N.), are mentioned: And whereas it is expedient that provisions should be made for altering, or, if necessary, for increasing the number of such Polling Places: BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT it shall be lawful for His Majesty, by and with the advice of His Privy Council, from time to time hereafter to declare, on petition from the Justices of any County, Riding, Parts or Division in England or Wales in Quarter Sessions assembled, or on Petition from the High Sheriff, representing that the number of Polling Places for such County, Riding, Parts or Division is insufficient, or the place inconvenient, that any Place or Places other than those mentioned in the said Schedule, shall be a Polling Place or Polling Places for the County, Riding, Parts or Division of the County within which such Place or Places is or are situate, and if necessary to declare that any Place or Places mentioned in the said Schedule shall cease to be a Polling Place or Polling Places for that County, Riding, Parts or Division, and that the Justices of the Peace for such County, Riding, Parts or Division in Quarter Sessions or some Special Sessions assembled, as in the said Act mentioned, shall, conformably to the said Act, divide

Preamble.

I.
Additional Polling Places may be appointed.

such

such County, Riding, Parts or Division into convenient Polling Districts, and assign one of such Districts to each Polling Place, and every such direction or order for creating additional Polling Places shall be certified under the hand of one of the Clerks in Ordinary of His Majesty's Privy Council, and when so certified shall be published in the London Gazette, and shall be of the same force and effect as if the same had been made by the authority of Parliament: Provided always, That the West Riding of the County of York shall not have more than *Twenty* Districts and Places for taking the Poll, and that no other County, Riding, Parts or Division of a County shall have more than *Fifteen* Districts and Places for taking the Poll.

2. County Elections to continue One Day only.

And be it Enacted, That at every contested Election of a Knight or Knights to serve in any future Parliament for any County, or for any Riding, Parts or Division of a County, the Polling shall begin at *Eight* of the clock of the Forenoon of the next day but *Two* after the day fixed for the Election, unless such next day but *Two* shall be Sunday, and then on the Monday following, at the principal place of Election; and also on the same day at the several Polling Places for the said County, Riding, Parts or Division of a County, and such Polling shall continue for *One* Day only, and shall close at *Six* of the clock of the Afternoon on the same day on which it shall begin.

County Elections.

A

B I L L

For shortening the Time of taking the Poll at County Elections.

(Prepared and brought in by Lord John Russell and Sir John Hobhouse.)

Ordered, by The House of Commons, *to be Printed,* 30 *June* 1836.

A

B I L L,

[AS AMENDED BY THE LORDS]

INTITULED,

AN ACT for (1) *rendering more easy the* taking the Poll at County Elections.

[*Note.*—The Figures in the Margin denote the Number of Presses in the Ingrossment.]

[*N. B.*—The Words and Clauses printed beneath a Black Line were struck out, and the Words and Clauses printed in *Italics* were added by the Lords.]

1 WHEREAS by an Act passed in the second and third years of the reign of His present Majesty King WILLIAM the Fourth, intituled, "An Act to settle and determine the Divisions of Counties and the Limits of Cities and Boroughs in England and Wales, in so far as respects the Election of Members to serve in Parliament," it is among other things enacted, that the Poll for the Election of Knights of the Shire shall be taken at such places as in a certain Schedule to the said Act annexed marked (N.) are mentioned: And whereas it is expedient that provision should be made (2) for increasing the number of such Polling Places; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT it shall be lawful for His MAJESTY, by and with the Advice of His Privy Council, from time to time hereafter (3), on Petition from the Justices of any County, Riding, Parts or

Preamble:

2 & 3 Will. 4. c. 64.

I. Additional Polling Places may be appointed.

(1) shortening the time of

(2) for altering or if necessary

(3) to declare

or Division in England or Wales, in Quarter Sessions assembled, ([1]) representing that the number of Polling Places for such County, Riding, Parts or Division is insufficient, ([2]) *and praying that the* Place or Places ([3]) mentioned in the said ([4]) *Petition may* be a Polling Place or Polling Places for the County, Riding, Parts or Division of the County within which such Place or Places is or are situate, ([5]) to declare that any Place or Places mentioned in the said *Petition* ([6]) shall ([7]) be a Polling Place or Polling Places for that County, Riding, Parts or Division, and that the Justices of the Peace for such County, Riding, Parts or Divison in Quarter Sessions or some Special Sessions assembled, as in the said Act mentioned, shall conformably to the said Act divide such County, Riding, Parts or Division into convenient Polling Districts, and assign one of such Districts to each Polling Place; and every such direction or order for creating additional Polling Places shall be certified under the hand of one of the Clerks in Ordinary of His Majesty's Privy Council, and when so certified shall be published in the London Gazette, and shall be of the same force and effect as if the same had been made by the authority of Parliament. ([8]) 2

II.

And be it further Enacted, That no such Petition as aforesaid shall be made by such Justices so assembled, unless a Notice in writing shall have been delivered One Month at the least before the holding of such Quarter Sessions to the Clerk of the Peace of the County, Riding, Part or Division wherein the same are held, signed by Two Justices of the Peace for such County, Riding, Part or Division, and residing therein, or by Ten Inhabitants, being registered Voters for such County, Riding, Part or Division; which Notice shall state that the Court will, when such Sessions are held, be moved to make such Petition, nor unless the Clerk of the Peace shall Ten Days at the least before the holding of such Sessions have caused a copy of such Notice to be inserted Twice at the least in Two of the Newspapers of such County, Riding,

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([1]) or on Petition from the High Sheriff,

([2]) or the place inconvenient, that any

([3]) other than those

([4]) Schedule shall

([5]) and if necessary

([6]) Schedule

([7]) cease to

([8]) Provided always, That the West Riding of the County of York shall not have more than Twenty Districts and Places for taking the Poll, and that no other County, Riding, Parts or Division of a County shall have more than Fifteen Districts and Places for taking the Poll. 3

Riding, Part or Division, if two Newspapers are published therein, or if not, in a Newspaper published or commonly circulated therein, together with a Notice of the day upon which such Quarter Sessions will be held: Provided always, That when such motion is made, any Person objecting to the same shall be heard by such Court against the same or any part thereof, if he thinks fit.

III. Provision as to number of Polling Booths.

Provided always, and be it Enacted, That at every contested Election of a Knight or Knights to serve in any future Parliament for any County, or for any Riding, Parts or Division of a County, as many Polling Booths shall be provided at each Polling Place as will allow One for every Four hundred and fifty Electors whose Names appear upon the Registry of the said County or Division of a County, and who may lawfully vote at such Polling Place; and the High Sheriff shall provide the same accordingly.

([1])

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3. County Elections to continue One Day only.

([1]) And be it Enacted, That at every contested Election of a Knight or Knights to serve in any future Parliament for any County, or for any Riding, Parts or Division of a County, the Polling shall begin at Eight of the Clock of the Forenoon of the next Day but Two after the Day fixed for the Election, unless such next Day but Two shall be Sunday, and then on the Monday following, at the principal place of Election, and also on the same Day at the several Polling Places for the said County, Riding, Parts or Division of a County, and such Polling shall continue for One Day only, and shall close at Five of the Clock of the Afternoon on the same Day on which it shall begin.

Polls at Elections.

A

B I L L,

[AS AMENDED BY THE LORDS]

INTITULED,

AN ACT for (1) *rendering more easy the* taking the Poll at County Elections.

Ordered, by The House of Commons, *to be Printed,*
17 *August* 1836.

(1) Shortening the Time of

A

B I L L

To legalize certain Lists of Voters, and of Claims and Objections, for the present Year.

WHEREAS doubts have been occasioned with respect to the days and times upon or within which Notices, Claims, Objections and other matters, by a certain Act passed in the second year of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People in England and Wales," required to be given, delivered, transmitted, done or performed in relation to such Lists, should be respectively given, delivered, transmitted, done and performed in this year; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT in all cases in which the Overseers of the Poor of any Parish or Township shall have given Notice, requiring all Persons who may be entitled to vote in the election of a Knight or Knights of the Shire to serve in Parliament in respect of any Property situate wholly or in part in such Parish or Township, to deliver or transmit to the said Overseers on or before the Twentieth day of August in the present year a Notice of their claims as such Voters; and in all cases in which the Overseers of the Poor of any Parish or Township wholly or in part situate within any City or Borough, or place sharing in the election for any City or Borough, shall have made out an alphabetical List of all persons entitled by virtue of the said Act to vote in the election of a Member or Members to serve in Parliament for such City or Borough, in respect of the occupation of premises of the clear yearly value of not less than Ten Pounds, before the last day of August and not before the last day of July in this year; all Notices, Claims, Objections and other matters by the said

Preamble.

Act required to be given, delivered, transmitted, done or performed in relation to such Lists, shall in this year, but not afterwards, if given, delivered, transmitted, done or performed upon or within the same days of the several calendar months of this year, which were respectively appointed for the like purpose in the corresponding months of the year One thousand eight hundred and Thirty-two, by an Order made by His Majesty, with the Advice of His most Honourable Privy Council, bearing date the Eleventh day of July in the year One thousand eight hundred and Thirty-two, be as good and of the same force and effect as if they had been given, delivered, done, transmitted or performed respectively upon or within the days and times in the said Act specified in that behalf: Provided always, That nothing herein contained shall be construed to alter the time at which any List of Voters shall be revised in this year.

Lists of Voters.

A

B I L L

To legalize certain Lists of Voters, and of Claims and Objections, for the present Year.

(Prepared and brought in by Mr. Fox Maule and Mr. Labouchere.)

Ordered, by The House of Commons, *to be Printed,* 15 *August* 1836.

A

B I L L

For the Relief of Proprietors of, and Tenants upon, Entailed Estates in Scotland.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS great Tracts of Land in Scotland have been redeemed from Waste, and Farm Houses and other necessary Buildings have been erected by Tenants upon Entailed Estates holding under improving Leases: And whereas it is equitable that Outlays so made under the authority of such Leases should, in so far as they add to the yearly value of the Estate, be a Charge upon the Rental of the same; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT in all cases where Tenants or Occupiers of Land have built Farm Houses and other Buildings, or fenced, drained or otherwise enclosed, under conditions specified in any Lease, Tack or Missive of Lease, the Meliorations therein covenanted for, in so far as they add to the yearly value of the Estate, shall constitute a Claim against the Rents of such Entailed Estate: Provided always, That the maximum of the said Charge shall not exceed *Three* Years of the Free Rental of the Lands held or occupied by the said Tenant or Tenants.

Preamble.

1. Improvements made by Tenants on Entailed Estates, in so far as they add to the yearly value, to be a Charge upon the Rental of the same.

And be it also Enacted, That in order to ascertain whether the said Improvements have added to the yearly value of the said Lands, it shall be lawful to the Proprietor to apply to the Sheriff of the County in which the said Lands are situated, requiring him to appoint *Two* skilful persons to report on oath, within *Six* Months, what Improvements have been made, and whether the same have been made in conformity with the Specifications contained in the Leases held by the said Tenant, and then the Sheriff, upon such Report, shall fix the amount of charge to be paid out of the Rental of the Estate under the provisions of this Act:

2. Proprietor of Estate may apply to Sheriff to determine the amount of Charge to be paid out of Rental.

 Provided

Provided also, That where Mills or other machinery have been erected under the sanction and guarantee of a Lease, then it shall be competent to the Proprietor of the Estate to fulfil the conditions of the same out of the Rental of the Estate, or failing to do so, it shall be competent to the Tenant to sell or remove the said Mills or machinery, as to him, her or them shall appear most desirable.

3. Act may be altered, &c.

And be it further Enacted, That this Act may be altered, varied or repealed by any Act to be passed in this Session of Parliament.

4. Act to be a Public Act.

And be it further Enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken notice of as such by all Judges, Justices and others, without being specially pleaded.

Entailed Estates (Scotland.)

A

B I L L

For the Relief of Proprietors of, and Tenants upon, Entailed Estates in Scotland.

(Prepared and brought in by Mr. George Ferguson and Mr. William Gordon.)

Ordered, by The House of Commons, *to be Printed,* 20 *June* 1836.

350.

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B I L L

[AS AMENDED BY THE COMMITTEE]

For the Relief of Proprietors of, and Tenants upon, Entailed Estates in *Scotland*.

[Note.—*The Clause marked* (A.) *was added by the Committee.*]

WHEREAS great Tracts of Land in *Scotland* have been reclaimed from Waste, and Farm Houses and other necessary Buildings have been erected by Tenants upon Entailed Estates holding under improving Leases: AND whereas it is equitable that Outlays so made under the authority of such Leases should, in so far as they add to the yearly value of the Estate, be a Charge upon the Rental of the same; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT in all cases where Tenants or Occupiers of Land have built Farm Houses and other Buildings, or fenced, drained or enclosed Lands, under conditions for repayment or allowance of the expense of so doing specified in any Lease, Tack or Missive of Lease of an Entailed Estate, or any part thereof, and the Heir of Entail granting the Lease shall have died before the expiration thereof, the expense of the meliorations therein covenanted for, in so far as they add to the yearly value of the Estate, shall constitute a charge against the Rents of such Entailed Estate: Provided always, That the maximum of the said Charge shall not exceed Three Years of the Free Rental of the Lands held or occupied by the said Tenant or Tenants.

Preamble.

1. Improvements made by Tenants on Entailed Estates, in so far as they add to the yearly value, to be a Charge upon the Rental of the same.

And be it Enacted, That in order to ascertain whether such Improvements have added to the yearly value of the said Lands, it shall be lawful for the Proprietor to apply to the Sheriff of the County in which the said Lands are situated requiring him to appoint Two skilful persons to report on oath, within Six Months, what Improvements have been made, and whether the same have been made in conformity with the Specifications contained in the Tenant's Lease, and the Sheriff,

2. Proprietor of Estate may apply to Sheriff to determine the amount of Charge to be paid out of Rental.

grant Tacks of any parts of the Lands, Estates or Heritages therein contained, for the fair rent of such Lands or Heritages at the period of letting, either by public auction or private bargain, and notwithstanding any prohibition against diminution of the Rental, for any period not exceeding Twenty-one Years, and to grant Tacks of any mines and minerals contained in such Lands and Estates for any period not exceeding Thirty-one Years: Provided always, That nothing herein contained shall authorize any Heir of Entail in possession of any Entailed Lands, Estates or Heritages to take any grassum or valuable consideration, other than the Tack Duty or rent, for granting any Tack, or to grant any Tack of the Mains or Home Farm, nor of the Mansion House and Offices, or of the Garden, Lawn, Park, or Policy attached thereto, for any period beyond his own life; and in case any such grassum or consideration shall be taken, or in case any Tack hereby prohibited shall be granted, such Tack shall be null and void.

2. This Act not to restrain any more extensive Powers contained in any Entail.

Provided also, and be it Enacted, That nothing herein contained shall prevent or be construed to prevent any Heir of Entail in possession from exercising any power of granting Tacks which may be contained in the Entail under which he possesses, more extensive than the power of granting Tacks hereby conferred.

3. Heirs in possession may make Excambions of Entailed Estates in the mode herein named.

And be it Enacted, That, notwithstanding any prohibitory, irritant and resolutive clauses contained in any Entail already made and established, or which may hereafter be made and established, pursuant to the directions of the said Act passed in the Parliament of *Scotland* in the year One thousand six hundred and Eighty-five, it shall be lawful for the respective Heirs of Entail in possession of any Entailed Lands, Estates or Heritages, having made up a feudal title thereto, to make Excambion, without the consent of any other Heir, of any portion of the Entailed Lands, Estates or Heritages, for an equivalent in Lands, Estates or Heritages lying contiguous to the same or to some other part of the said entailed Estate, or being convenient to be holden with the same, and whether the same shall belong to himself in fee simple or to any other person, and that although the Heritages to be given and taken in exchange may consist of different descriptions of heritable property: Provided always, That notice of the intention to make such Excambion shall, Three Months previous to the application to the Court of Session to that effect, as hereinafter required, be given to the Five Heirs of Entail of the said Entailed Lands, Estates or Heritages next in the order of succession to the Heir so applying, and if any of the said Five Heirs of Entail shall be under age, or under any mental or other legal disability, then to the legal guardians, curators or administrators of such Heirs, and if Three or more of the said Five Heirs shall be under age, or under any mental

or

or other legal disability, then to their respective guardians, curators
5 or administrators, and also to the Two Heirs next in the order of succession after such Five Heirs, who shall be of lawful age, and not under any mental or other legal disability, and if any of the said Heirs to whom notice is thus directed to be given shall be forth of the United Kingdom, then to the known agent or factor of such absent Heir or Heirs; and for ascertaining and adjusting the value of the Lands, Estates or Heritages proposed to be exchanged, an application shall be made for that purpose by the Heir of Entail in possession, and feudally vested in such Lands, Estates or Heritages, after such notice as is herein directed to be given by summary petition, setting forth the objects of the said Excambion and the advantages expected to be derived therefrom, to one or other of the divisions of the Court of Session, praying for such Excambion; and the said Court shall, after proof made to them of notice to the Heirs of Entail as aforesaid, take into consideration the expediency of such Excambion, and the other circumstances of or affecting the Lands, Estates or Heritages proposed to be excambed and the interests of the succeeding Heirs of Entail therein, and after such notice as is hereinafter directed to be given, and hearing any party having a title and interest to be heard, if any such shall appear, shall appoint Two or more skilful persons to inspect and adjust the value and settle the marches of the said Lands, Estates or Heritages proposed to be excambed; and upon receiving
6 the report upon oath of such persons, and being satisfied of the respective values of such Lands, Estates, or Heritages, and of the expediency of such Excambion, the said Court shall thereupon give judgment authorizing the said Excambion; and thereupon the contract of Excambion shall be executed at the sight and with the approbation of the said Court, and recorded in the Sheriff Court Books of each of the Shires or Stewartry in which the Lands or Heritages to be excambed are situated, and also within Three Months in the Register of Tailzies: Provided also, That after hearing any party having a title or interest, and appearing as aforesaid, it shall be competent to the said Court to decern the expenses to be incurred by such party in such appearance to be borne either by such party or by the Heir of Entail applying for the Excambion, as to the said Court shall seem just.

4. Provision as to Excambion of Mansion Houses, &c.

Provided further, and be it Enacted, That it shall not be lawful to excamb the principal Mansion House or offices, or the garden, park, lawn, home farm, or policy of any Entailed Estate, nor more than One-fourth in value of such Entailed Lands, Estate, or Heritages in all; and declaring that after Excambions have been made under the authority
7 of this Act to the extent in all of One-fourth part in value of the whole Entailed Lands, Estates, or Heritages, it shall not be in the power of any Heir of Entail to make any further Excambions of any part of the said Lands, Estate or Heritages.

5. Tenure of excambed Lands.

And be it Enacted, That all contracts of Excambion executed and recorded in terms of this Act shall be effectual to all intents and purposes; and the Lands and Heritages given or received in Excambion shall be held to be a part of the Entailed Estate or of the Entailed Estates respectively, and shall be subject to all the prohibitory, irritant and resolutive clauses of the Entail or Entails, in the same manner as if it or they had been originally a part of such Estate or Estates respectively; and the Lands and Heritages given from the Entailed Estate or Estates shall from thenceforth be held as out of the Entail or Entails under which it was previously held, and be liberated from all the prohibitory, irritant and resolutive clauses thereof: Provided always, That no debt contracted by any Heir of Entail during the period between the execution of any such contract of Excambion and the recording of such contract in the Register of Tailzies as aforesaid shall affect or be capable of affecting the Lands contained in such contract, and thereby added to the Entailed Estate: And provided further, That if in any such Excambion as aforesaid there shall be any excess of value on either side, not exceeding Two hundred Pounds, such excess shall go and be paid to the proprietor, whether Heir of Entail in possession or Proprietor in fee simple, to whom the lands of smaller value shall be awarded; and that if any party to any such Excambion shall give or shall recieve any consideration or value, of any kind whatever, other than the Lands to be exchanged, or such excess as aforesaid not exceeding Two hundred Pounds, such Excambion shall be null and void. 8

Excess of Value in any Excambion to the amount of 200 *l.* to be paid to the Proprietors.

In case of any larger excess, Excambion void.

6. As to Excambion of Entailed Estates under more than one Entail.

Provided always, and be it further Enacted, That where any such Heir in possession shall apply as aforesaid for the Excambion of any part or parts of any Entailed Estate or Estates, under more than one deed of Entail, descendible to the same series of Heirs, such deeds of Entail shall in reference to such application be held and construed to be one deed of Entail, and the estates settled by such Entail to be one Entailed Estate: Provided also, That an Act passed in the tenth year of the reign of his Majesty King GEORGE the Third, intituled, "An Act to encourage the Improvement of Lands, Tenements and Hereditaments, in that part of *Great Britain* called *Scotland*, held under Settlements of strict Entail," shall remain in full force and effect, excepting in as far as the same is altered or repealed by any of the provisions of this Act. 9

7. Part of Entailed Estates may be sold for payment of Entailer's Debts, affecting the Estate.

AND for effecting the sale of portions of Entailed Estate, for payment of the Entailer's debts, BE it Enacted, That from and after the passing of this Act it shall and may be lawful for the Heir of Entail in the possession of any Entailed Estate liable to be adjudged or evicted for the debts or obligations of the maker of the Entail, and for the tutors or curators or legal guardians of any such Heir, if under Twenty-one

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Twenty-one years of age, or under any mental or other legal disability, to apply by summary petition to the Court of Session in either of the divisions of the said Court, setting forth the Entail, and the debts or obligations affecting or which may be made to affect the Lands or Heritages contained in the said Entail as aforesaid, and praying the said Court that so much of the said Lands or Heritages may be sold as
10 will produce a sum adequate to discharge the debts so affecting the said Estate.

8. Court of Session to inquire into the Particulars, and direct what portion of Estate shall be sold;

And be it Enacted, That it shall and may be lawful for the Judges of the said Court, sitting in either of the divisions thereof, and they are hereby authorized and required, upon such petition presented to them as aforesaid, to direct due notice, according to the practice of the said Court, to be given of such petition to all concerned, to hear all parties that shall appear for their interest, to inquire into and take an account of the debts, obligations and other burdens due by or binding upon the Entailer of such Estate, which affect or may be made to affect such Estate as aforesaid, and to fix and ascertain
11 the amount of such debts, obligations and burdens, and interest, if any, due thereupon, by interlocutors or judgments, and thereupon to inquire into and ascertain, by the investigation and evidence or report of such surveyors or other skilful persons as the said Court shall think fit to nominate and appoint for that purpose, what portions of such Entailed Estate sufficient to produce a price adequate to the payment of all such debts, obligations and burdens affecting or capable of being made to affect the said Entailed Estate as aforesaid may be sold with the least detriment or injury to the remainder of such Estate, and to take all necessary proof thereof, and of the value at which such portions of such Estate ought either in whole or in lots to be exposed to sale, and thereupon to order and decern that such portions of such Estate shall be sold by public roup or auction.

9. And cause notice of Sale to be given, and adjust the Conditions thereof.

And be it Enacted, That the said Judges shall cause notice of the intended sale or auction of such portions of such Estates to be inserted in one of the Newspapers published in the county or counties in which the Lands or Heritages to be sold lie, and also in Three of the Newspapers published in *Edinburgh*, Three times at least Three Weeks previous to the day of sale, and shall otherwise advertise and notify such sale as to the said Judges shall seem necessary and proper; and the articles and conditions of roup
12 or sale of such portions of such Estates shall be adjusted at the sight and with the approbation of the said Judges, and the Lands or Heritages be exposed to sale in such manner as the said Judges shall direct; and the said Judges may authorize and direct such sales respectively to be adjourned from time to time, and to be again from time to time advertised and notified as herein-before directed.

10. Court of Session to adjudge the Lands sold to the Purchaser, and direct the disposition of the Purchase Money;

And be it Enacted, That upon the sale of such portions of such Estates as aforesaid, the said Judges shall adjudge and decern the same freed from all the burdens, conditions, restrictions, and provisions, clauses irritant and resolutive, and other clauses of such Entail to belong to and be the property of the purchaser or respective purchasers thereof, when and as soon as such purchaser or purchasers shall have completed such purchase or purchases by payment or consignation of the purchase money, or price or prices at or for which he, she or they shall have purchased the same, to or with the treasurer, cashier, or manager or other proper officer of the Bank of *Scotland*, the Royal Bank of *Scotland*, Bank of the *British* Linen Company of *Scotland*, Commercial Bank of *Scotland*, or National Bank of *Scotland* respectively, to whom the said Judges shall order such payment or consignation to be made, to be placed to an account to be raised in the books 13
of such Bank in the name or names of such person or persons as the said Judges shall direct; and which monies shall, when so paid in, produce the highest interest that can be obtained for the same, which interest shall by such person or persons be annually accumulated and added to the principal sum, to carry interest together, until applied, by a warrant or warrants of the said Judges in either division of the said Court as aforesaid, for the purposes of this Act; and the said Judges shall further pronounce such interlocutor or interlocutors and hold such other proceedings in the said matter as the Judges of the Court of Session are in use to pronounce and hold in judicial sales, or as shall appear to the said Judges necessary for fully carrying the purposes of this Act into execution.

11. And to take the necessary Measures for vesting the Lands sold in the Purchaser, freed from the Entail.

And be it Enacted, That the purchaser or purchasers, in pursuance of this Act, and their heirs and assignees, shall, by the interlocutors or decrees of sale to be pronounced by the said Judges, and upon full payment of the price or prices for which they shall respectively purchase to such person or persons, or in such way as they shall by the articles and conditions of sale be taken bound to pay the same, have a good and undoubted right to the Lands and Heritages so 14
to be purchased by them, freed and discharged of all the conditions, provisions, limitations, and restrictions of such Entail, and of all the debts, obligations and burdens by which the said Lands and Heritages were affected, and from every other incumbrance, defect of title, or ground of eviction whatsoever, in as full and ample a manner, sort and form as any purchaser of lands at a judicial sale before the Court of Session may, can or ought to have by the law and practice of *Scotland*; and the Heir of Entail of the Estate for the time being, or his or her tutors or curators or other legal guardians as aforesaid, shall and is or are hereby required to execute and deliver, under the authority of the said Judges of the Court of Session in either division thereof as aforesaid, all such dispositions and conveyances of such portions of such Estates as shall be so sold, containing

procuratories

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procuratories of resignation, precepts of sasine, and other usual and necessary clauses as shall by the said Judges be deemed necessary and proper, in favour of such purchaser or purchasers, his, her or their heirs and assignees, without incurring any irritancy or forfeiture; any thing in such deed of Entail to the contrary notwithstanding.

12. Lands not sold to continue subject to the Entail.

Provided always, and be it Enacted, That such parts of such Entailed Estate as shall not be sold under the authority of this Act, in the manner herein directed, shall remain and continue settled and entailed to and upon the same series of Heirs, under the same prohibitory, irritant and resolutive clauses, provisions and conditions as are contained in such deed of Entail, but subject to the powers and provisions hereinbefore given by this Act.

13. Court of Session to direct Purchase Money to be applied to payment of Debts, &c.

And be it Enacted, That after such sale or sales are accomplished, and the purchase money paid or consigned as aforesaid, the said Judges of the Court of Session in either division thereof shall issue their warrants or decrees for payment out of the money so paid or consigned of the expenses of the proceedings attending such petition, inquiry and sale, and also of the amount of such debts, obligations or burdens affecting or which might be made to affect such Entailed Estate as aforesaid, of which such portions have been sold as aforesaid; and every creditor in such debt, obligation or burden shall upon receiving payment be obliged to execute a complete discharge of his or her debt, right or claim; and the several discharges shall be registered in the books of Council and Session.

14. By whom the Costs of Parties interested and appearing shall be paid.

Provided always, and be it Enacted, That if any party interested in such Entailed Estate shall have appeared and been heard before the said Court, it shall be competent for the said Court to decern the expenses incurred by such party in such appearance and hearing to be borne, either by such party or by the Heir applying for such sale, either out of the price of the lands to be so sold or otherwise, as to the said Court shall seem just.

15. Any Surplus exceeding 200*l.* to be laid out in purchase of other Land, to be limited to same uses, &c. as Lands sold;

Provided always, and be it Enacted, That if any surplus exceeding Two hundred Pounds shall remain of the price of the Lands and Heritages so sold, after defraying such expenses, debts, obligations or burdens directed to be paid as aforesaid, the said Judges of the said Court in either of the divisions thereof shall and they are hereby empowered and required to direct and order that such surplus shall be laid out and employed in the purchase of other Lands or Heritages, which shall be limited and settled to the same uses and purposes, and under the like prohibitory, irritant and resolutive clauses, as by the deed of Entail in relation to which such proceedings have been held the Lands and Heritages therein described stand limited and settled.

16. And the Deed of Entail thereof to be framed at the sight of the Court of Session;

And be it Enacted, That when such surplus shall be laid out and employed in the purchase of other Lands or Heritages to be settled as aforesaid, the disposition, deed or settlement of Entail thereof to or in favour of the Heir of Entail in possession for the time being, and the other Heirs of Entail entitled to succeed to the Entailed Estate to which the Lands or Heritages so purchased are to be added, shall be framed at the sight and with the approbation of the Judges 17
of the said Court, and shall be so framed as to bind the Heir in possesion or person in whose favour the same is executed, as well as the succeeding Heirs of Entail.

17. And recorded in Register of Tailzies, &c.

And be it Enacted, That after such disposition, conveyance or entail shall be so made and executed, the same shall be directed by the said Judges to be forthwith recorded in due form in the Register of Tailzies, for the benefit of all the persons interested therein, and infeftment shall be taken by virtue of the procuratory of resignation or the precept of sasine therein contained, and shall be registered agreeably to the forms and practice of the law of *Scotland*, upon all which the said Court shall interpose its authority, by declaring that the directions by this Act given have been complied with according to the true intent and meaning thereof.

18. Application of surplus Monies till invested in Land.

And be it Enacted, That until such surplus as aforesaid shall be applied in the purchase of other Lands or Heritages as aforesaid, the said Judges shall order and direct that the same shall remain in one or other of the aforesaid Banks respectively, subject to the direction of the said Judges of that division of the said Court to which application shall have been originally made, in the name of such person or 18
persons as they shall have appointed, who shall receive the highest interest which can be got for the same; and the interest arising from the money so paid in shall be laid out in the name or names of such persons as aforesaid, and shall annually accumulate and be added to the principal sum, so that they may carry interest together until a proper purchase in Lands or Heritages shall be found, to be limited and settled in the manner hereinbefore directed, and until the same shall be ordered to be paid by the treasurer, cashier, or manager or other proper officer of the Bank of *Scotland*, the Royal Bank of *Scotland*, Bank of the *British* Linen Company of *Scotland*, Commercial Bank of *Scotland*, or National Bank of *Scotland* respectively, for completing the said purchase in such manner as the said Court shall think just and direct; and if the money arising by the principal and accumulated interest of such sum or sums shall exceed the amount of the original purchase money, then and in that case only the surplus which shall remain after discharging the expense of the applications to the Court, shall be paid to the person or persons respectively

who

who would have been entitled to receive the rents and profits of the
19 entailed Lands or Heritages.

19.
If under 200*l.* to be paid to Heir in possession.

And be it Enacted, That if such surplus as aforesaid shall be under Two hundred Pounds sterling, the same shall be paid, by order of the said Court, to the Heir in possession of such Entailed Estate for the time being.

20.
Definition of Terms used in the Act.

And be it Enacted, That any matter or thing permitted or prohibited to be done by any Heir of Entail by virtue of this Act is and shall be permitted or prohibited to be done by any Trustees or Trustee holding Lands in trust under obligations to entail the same; and that where the words "Heir" or "Heirs of Entail" are used in any part of this Act, such word or words shall be held and construed to include the Institute equally as any Substitute Heir of Entail.

21.
How Notices to be given of Applications under this Act to Court of Session, &c.

Provided always, and be it further Enacted, That notice of all applications, either to the Court of Session or any Lord Ordinary of the said Court, or to any Sheriff of any County, under the Provisions of this Act, by any Heir of Entail, shall be inserted once at least in the *London* and *Edinburgh* Gazettes, and in Two or more Newspapers published in *Edinburgh*, and usually circulated in the part of *Scotland* in which the Entailed Lands and Estates to which such application relates lie, and also in any one Newspaper published (if any so be) in such part of *Scotland* at least Three Months previous to the making such application; and where such application shall be to the Court of Session, the said Court or the Lord Ordinary shall, if they or he shall see cause, cause such further intimation thereof to be made in the Minute Book of the said Court, or on the walls of the Parliament House or otherwise, as the said Court or Lord Ordinary shall think proper.

Entail Relief (Scotland).

A

B I L L,

INTITULED,

AN ACT to grant certain Powers to Heirs of Entail in *Scotland*, and to authorize the Sale of Entailed Lands for the Payment of certain Debts affecting the same.

Ordered, by The House of Commons, *to be Printed*,
29 *June* 1836.

386.

A

B I L L

For the Amendment of the Law of Escheat and the Law relating to the Forfeiture of Lands and Chattels for Crimes, and of the Law relating to Chattels belonging to Persons dying intestate and without Kindred, and for rendering alienable at Law Copyhold Lands severed from a Manor, and for enabling His Majesty to make Grants of Lands and Chattels in certain cases.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

BE it Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT in the construction of this Act the word "Manor" shall extend to a manor by reputation of any tenure whatsoever (except Copy of Court Roll), but when accompanied with some expression including or denoting the tenure by Copy of Court Roll, shall extend to a manor of that tenure; and the word "Lands" shall extend to manors, advowsons, rectories, messuages, lands, tenements, tithes, rents and all other hereditaments of any tenure whatsoever (except Copy of Court Roll), whether corporeal or incorporeal, and any undivided share thereof, but when accompanied with some expression including or denoting the tenure by Copy of Court Roll, shall extend to manors, advowsons, rectories, messuages, lands, tenements, tithes, rents and other hereditaments of that tenure, and any undivided share thereof; and the word "Estate" shall mean an estate in possession, remainder, reversion or expectancy, and shall extend not only to an estate at law, but also to an estate in equity; and the word "Lord" shall mean the lord or lady for the time being, whatever may be his or her estate or interest, and whether he or she shall have any rightful estate or interest or not;

1. Meaning of certain Words and Expressions. "Manor."

"Lands."

"Estate."

"Lord."

"Without Heirs inheritable." "Number and Gender."

and the expression "without Heirs inheritable" shall include every case of failure of heirs, except a failure of heirs by corruption of blood; and every word importing the singular number only, shall extend and be applied to several persons or things, as well as to one person or thing; and every word importing the plural number shall extend to one person or thing, as well as to many persons or things; and every word importing the masculine gender only, shall extend and be applied to a female, as well as to a male: Provided always, That those words aud expressions occurring in this clause to which more than one meaning is to be attached, shall have all or any one or more of the different meanings given to them by this clause, as the circumstances of each particular case shall require, and shall not have the different meanings given to them by this clause in those cases in which there is any thing in the subject or context repugnant to such construction.

2. Repeal of 39 & 40 G. 3. c. 88. s. 12. and of 47 G. 3. sess. 2. c. 24, and of 59 G. 3. c. 94, and of 6 G. 4. c. 17. and 4 & 5 W. 4. c. 23.

And be it further Enacted, That from and after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, the twelfth Section of an Act passed in the thirty-ninth and fortieth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act concerning the Disposition of certain real and personal Property of His Majesty, His Heirs and Successors, and also of the real and personal Property of Her Majesty, and of the Queen Consort for the time being;" and also an Act passed in the second Session of the forty-seventh year of the reign of his said late Majesty King GEORGE the Third, intituled, "An Act to explain and amend an Act passed in the thirty-ninth and fortieth years of His present Majesty concerning the Disposition of certain real and personal Property of His Majesty, His Heirs and Successors, and also of the real and personal Property of Her Majesty, and of the Queen Consort for the time being;" and of an Act passed in the fifty-ninth year of the reign of his said late Majesty King GEORGE the Third, intituled, "An Act to explain and amend two Acts passed in the thirty-ninth and fortieth and forty-seventh years of His present Majesty, concerning the Disposition of certain real and personal Property of His Majesty, His Heirs and Successors;" and also an Act passed in the sixth year of the reign of His late Majesty King GEORGE the Fourth, intituled, "An Act to extend the Provisions of an Act of the fifty-ninth year of the reign of his late Majesty concerning the Disposition of certain real and personal Property of His Majesty, His Heirs and Successors;" and also an Act passed in the fourth and fifth years of the reign of His present Majesty, intituled, "An Act for the Amendment of the Law relative to the Escheat and Forfeiture of real and personal Property holden in trust," shall be and the same are hereby Repealed; but not so as to affect any act confirmed or done by or under the authority of

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the same Acts respectively; and any act or proceeding now in progress under the authority of the same Acts respectively shall or may be completed under the powers of this Act.

3.
Lands, of which Persons shall after the 31st December 1836 die seised without Heirs, shall escheat to The King.

And be it further Enacted, That all Lands of or to which any person shall after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six* die seised or entitled for an estate of inheritance, not being an estate tail, shall, if such person shall die without heirs inheritable to such Lands, escheat to His Majesty and His successors in right of His Crown.

4.
Lands, of which Persons attainted of Petit Treason or Murder, after the 31st December 1836, shall be seised, shall escheat to The King.

And be it further Enacted, That all Lands of or to which any person, who shall after the said *Thirty-first* day of *December One thousand eight hundred and Thirty-six* commit the crimes of Petit Treason or Murder, or of abetting, procuring or counselling the same, shall, at the time of committing any such crime, be seised or entitled for an estate of inheritance not being an estate tail, shall, if such person shall be attainted of any such crime, escheat after the death of such person to His Majesty and His successors in right of His Crown.

5.
In those cases where Rents, &c. shall be payable to a Mesne Lord, in respect of any Lands, such Lands shall escheat to such Mesne Lord.

Provided always, and be it further Enacted, That in all cases in which any rents, fines, heriots or services shall prior to the *passing of this Act* have been respectively paid or rendered, or ought to have been respectively paid or rendered, or shall after the *passing of this Act* be respectively paid or rendered, or ought after the *passing of this Act* to be respectively paid or rendered to the Mesne Lord of any Manor of any tenure whatsoever in respect of any Lands, such Lands shall, if the person seised of or entitled to the same for an estate of inheritance in fee-simple shall after the said *Thirty-first* day of *December One thousand eight hundred and Thirty-six* die without heirs inheritable to such Lands, or shall after the said *Thirty-first* day of *December One thousand eight hundred and Thirty-six* commit the crimes of petit treason or murder, or of abetting, procuring or counselling the same, and be thereof attainted, escheat, after the death of such person, to the Mesne Lord to whom such rents, fines, heriots or services shall have been, or ought to have been, respectively paid or rendered, in case the rents, fines, heriots and services which shall have last accrued to such Mesne Lord in respect of such Lands shall have been respectively paid or rendered, either wholly or in part, or the right of such Mesne Lord, either at law or in equity, to recover or enforce such last accrued rents, fines, heriots or services, if not respectively paid or rendered, either wholly or in part, shall not at the time of such escheat have been barred by the laws then in force for the limitation of actions or suits.

6.
The right of a Mesne Lord to recover any Rents, &c. shall not be

And be it further Enacted, That the right of the Mesne Lord of any Manor, of any tenure whatsoever, to recover any rents, fines, heriots or services,

barred by the acceptance of a Compensation for or an express waiver of the same.

services, shall not, for the purposes of this Act, be considered to have been barred by the acceptance of any payment or render in lieu of, or as a compensation for, such rents, fines, heriots or services; and all rents, fines, heriots and services which shall have been expressly waived, dispensed with, or respited, by the Mesne Lord of any Manor of any tenure whatsoever, either by writing or otherwise, and whereof an entry shall have been made on the Court Rolls of such manor, shall, for the purposes of this Act, be deemed and considered to have been respectively paid and rendered to such Lord.

7. Rents, &c. paid to the Lord of a Manor, by any Person, shall be deemed to be paid in respect of all his Lands within the Manor.

And be it further Enacted, That in every case in which any person seised of or entitled to any Lands situate within the ambit of any Manor, of any tenure whatsoever, shall, as a free tenant of such Manor, pay or render any rents, fines, heriots or services to the Lord of such Manor, it shall be deemed and taken for the purposes of this Act that such rents, fines, heriots or services were paid or rendered in respect of all the Lands of such person which shall be situate within the ambit of such Manor, unless the same shall have been expressly accepted in respect of some particular Lands.

8. Mesne Lords to have the same Franchises, &c. over Lands which shall escheat to The King, as at the time of such Escheat.

Provided always, and be it further Enacted, That the Mesne Lords of Manors of any tenure whatsoever within the ambit of which any Lands which shall under this Act escheat to His Majesty or His successors, shall be respectively situate, shall have the same franchises, liberties and privileges in, upon, over and in respect of such Lands, as such Mesne Lords were respectively entitled to, or exercised in, upon, over and in respect of such Lands, at the time of such escheat; but nevertheless such Lands shall not after such escheat be again held of such Mesne Lords.

9. Owners, &c. Occupiers of Lands which shall escheat to The King, to have the same Rights, &c. as at the time of such Escheat.

Provided always, and be it further Enacted, That His Majesty and His successors, and His and their Tenants, or other the Owners and Occupiers for the time being of Lands which shall under this Act escheat to His Majesty or His successors, shall be entitled to the same rights and privileges in respect of such Lands as the person in consequence of whose death or attainder such Lands shall have escheated was entitled to or actually enjoyed as appendant or appurtenant to such Lands at the time of such escheat.

10. Lands which shall escheat, to be subject to all such Estates in Equity, Rights, &c. as they were subject to at the time of such Escheat.

Provided always, and be it further Enacted, That all Lands of any tenure whatsoever, which either under this Act or otherwise shall escheat after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, either to His Majesty or His successors, or to the Mesne Lord of any Manor, of any tenure whatsoever, shall, notwithstanding such escheat, be subject and liable to all such estates, interests, liens and incumbrances cognizable in equity only, and also to all such rights and charges cognizable either at law or in equity (including rights to dower in or out of such Lands,)

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as such Lands were subject or liable to at the time of such escheat, as fully and absolutely in every respect as if such escheat had not taken place, except any estates, interests, liens, rights, charges and incumbrances made and created by the Wills or Codicils of persons in consequence of whose deaths or of whose attainder of any of the crimes of petit treason or murder, or of abetting, procuring and counselling the same, such lands shall have escheated; and also, except in the case of a person attainted of any such crime as aforesaid, any estates, interests, liens, rights, charges and incumbrances made and created by such person by deed or writing (not being a Will or Codicil), after committing such crime.

11. Wills of Persons who shall die without Heirs, to have the same effect as if this Act had not passed.

Provided always, and be it further Enacted, That notwithstanding any thing in this Act contained, all Wills and Codicils already made and executed, or hereafter to be made and executed, by persons who shall after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six* die seised of or entitled to any Lands for an estate of inheritance in fee-simple, without heirs inheritable to such lands, shall have the same force and effect as such Wills and Codicils would have had if this Act had not been passed.

12. Persons having powers of appointment over Lands which shall escheat, may exercise the same as if no such Escheat had taken place.

Provided always, and be it further Enacted, That all persons who shall for the time being have or be entitled to any powers of appointment, either at law or in equity, over Lands of any tenure whatsoever, by the exercise of which the estate in such Lands which shall after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, escheat either under this Act or otherwise to His Majesty or His successors, or to the Mesne Lord of any Manor of any tenure whatsoever, may be charged, defeated, extinguished, suspended, postponed or affected either at law or in equity, shall and may exercise such powers of appointment, and thereby limit or create in such Lands the same uses, trusts, estates, rights, interests, charges, liens and incumbrances, in the same manner and as fully and absolutely in every respect as if no such escheat had taken place; but nothing in this present clause contained shall be deemed or taken to authorize or empower any person who shall have committed any of the crimes of petit treason or murder, or of abetting, procuring or counselling the same, and shall be attainted thereof, to exercise any such power of appointment, after having committed any such crime.

13. Persons having Estates prior, &c. to any Estate which shall escheat to The King, may alien, &c. the same as if no such Escheat had taken place.

Provided always, and be it further Enacted, That all persons who shall for the time being have or be entitled to any estates, interests, liens, rights, charges or incumbrances, either at law or in equity, in, upon or affecting any lands of any tenure whatsoever, which either originally or by the exercise of any power of appointment shall have been limited or created to take effect previously to or in defeasance or derogation of the

estate in such lands, which shall after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six* escheat either under this Act or otherwise to His Majesty or His successors, shall and may alien, devise, charge and dispose of such lands in the same manner and as fully and absolutely in every respect as if no such escheat had taken place.

14. The King or Mesne Lord shall not require Lands to be exonerated from the Mortgages, &c. affecting the same.

Provided always, and be it further Enacted, That His Majesty or His successors, or the Mesne Lord of any Manor of any tenure whatsoever, to whom Lands of any tenure whatsoever shall after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, escheat either under this Act or otherwise, which at the time of such escheat shall be subject to any charge, lien or incumbrance, either by way of Mortgage or otherwise, shall not be entitled to require that such Lands shall be exonerated and discharged from such charge, lien or incumbrance, out of the real or personal estate and effects of the person, in consequence of whose death or attainder, as the case may be, such escheat shall have taken place.

15. Where an equitable Estate shall escheat, the Person seised of the legal Estate shall hold in trust for The King or Mesne Lord.

And be it further Enacted, That in every case in which any Lands of any tenure whatsoever shall, for an estate or right in equity only, escheat after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, under this Act or otherwise, either to His Majesty or His successors, or to the Mesne Lord of any Manor of any tenure whatsoever, the person in whom such Lands shall at the time of such escheat, or at any time afterwards, be vested for an estate at law, shall, to the extent of the estate or right in equity which shall have so escheated, but not further or otherwise, stand seised and possessed of such Lands in trust for His Majesty or other the Lord to whom such Lands shall have escheated, and his successors or heirs and assigns.

16. The King or Mesne Lord, to whom Lands shall escheat, shall have the benefit of all attendant Terms.

And be it further Enacted, That in case any Lands which, after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, either under this Act, or otherwise, shall escheat either to His Majesty or His successors, or to the Mesne Lord of any Manor, shall at the time of such escheat be vested in any person for any estate for years absolute or determinable, or for any other chattel interest whatsoever which shall, either under an express declaration of trust, or by construction of Courts of Equity, be attendant on the inheritance in such Lands, either immediately or subject to any prior trusts, estates, rights, interests, charges, liens or incumbrances, the person in whom such Lands shall at the time of such escheat, or at any time afterwards, be vested for such estate for years, or other chattel interest, shall, so far as the same shall be attendant on the estate for which such Lands shall so escheat, but not further or otherwise, stand possessed of an enttitled to such Lands, for such estate for years or other chattel interest

interest in trust for His Majesty or other the Mesne Lord to whom such Lands shall have escheated, and his successors or heirs and assigns, and to attend the inheritance of such Lands.

17. The provisions of this Act, relating to the escheat of Lands on attainder, shall apply to the forfeiture of Lands for Petit Treason or Felony.

And be it further Enacted, That all the provisions in this Act contained, so far as they apply to the escheat of Lands in consequence of the attainder of any person for the crime of Petit Treason or of Murder, or of abetting, procuring or counselling the same, shall apply to the forfeiture of Lands of any tenure whatsoever, or of the rents and profits of Lands of any tenure whatsoever whereof persons attainted after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, of the crimes of Petit Treason or Felony, shall have been seised or entitled either for an estate of inheritance or an estate of freehold only at the time of committing any such crime.

18. Lands forfeited for High Treason to be subject to all such Estates in Equity, rights, &c. as they were subject to at the time of such forfeiture.

Provided always, and be it further Enacted, That all Lands of any tenure whatsoever which shall become forfeited in consequence of the attainder, after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, of any person for the crime of High Treason, who shall be seised of or entitled to such Lands for an Estate of Inheritance or an Estate of Freehold only, shall notwithstanding such forfeiture be subject and liable to all such estates, interests, liens and incumbrances cognizable in equity only, and also to all such rights and charges cognizable either at law or in equity, as such Lands were subject or liable to at the time of such forfeiture, as fully and effectually in every respect as if such forfeiture had not taken place, except any estates, interests, liens, rights, charges and incumbrances made and created by the Will or Codicil of the person in consequence of whose attainder for the crime of High Treason such Lands shall have become forfeited; and also any estates, interests, liens, rights, charges and incumbrances made and created by deed or writing (not being a Will or Codicil) by such person after committing such crime.

19. Where the Freehold of any Copyhold Tenement is severed from the Manor, such Tenement shall be conveyed, &c. as if held in free and common socage, and the freeholder, for the purpose of this Act, shall be considered the Lord of the Manor.

And be it further Enacted, That all Lands held by copy of court roll of any manor of any tenure whatsoever which now are or hereafter shall be severed from such manor in consequence of any alienation of the freehold estate in such Lands by the Lord of such Manor, shall from and after the *passing of this Act* or from the time of such severance (as the case may be), so long as such Lands shall continue severed from the manor, be aliened, devised and disposed of, and shall descend and devolve for an estate at law by and from the person for the time being seised of or entitled to the copyhold or customary estate or interest in such Lands, in the same manner and as fully and effectually in every respect as if the person so seised of or entitled to such copyhold or customary estate or interest was seised of or entitled to such Lands for the same estate or interest, in free and common socage,

and every person to whom such lands shall be so aliened, devised and disposed of, and shall so descend and devolve, shall, for the purposes of this present Clause, be deemed and taken to be seised of or entitled to the copyhold estate or interest in such Lands; and the person for the time being seised of or entitled to such Lands under and by virtue of the alienation made by the Lord of such Manor, shall during such severance be considered for the purposes of this Act to be the Lord of the Manor of which such Lands are holden.

20. Where a Person entitled in Equity to Chattels real, not being an attendant term, shall die intestate and without Kindred, the Person possessed of the legal Estate shall hold in trust for The King, subject to prior trusts, &c.

And be it further Enacted, That in case any person who now is or hereafter shall be entitled to, in equity only, Chattels real (not being a term for years in Lands attendant on the inheritance of such Lands) shall after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six* die entitled to such Chattels real for such term intestate, and there shall not be any person who, under the Statutes made for the distribution of Estates of Intestates, shall be entitled to the personal estate of the person so dying, then and in such case the person who shall for the time being be possessed of or entitled to such Chattels real at law, shall stand and be possessed of and entitled to such Chattels real in trust for His Majesty and His successors, but subject nevertheless to all dispositions made thereof by the person so dying, either by way of contract or otherwise, and subject to all trusts, rights, charges, liens and incumbrances affecting the same, to take effect prior to or on the determination of the trust for the benefit of the person so dying, and also subject to the debts and liabilities of the person so dying.

21. The King shall not, by the death or attainder of a Tenant in Common or Joint Tenant of Chattels, become entitled to the share of any other Person therein.

And be it further Enacted, That in case any person who now is or hereafter shall be beneficially entitled to any share or interest in any Chattels, shall, while entitled thereto, depart this life intestate, and there shall not be any person who, under the Statutes made for the distribution of Estates of Intestates, shall be entitled to the personal Estate of the person so dying; or in case any person so entitled as aforesaid shall be attainted of Treason, Petit Treason or Felony, then and in such case His Majesty or His successors shall not, in consequence of such death or attainder, become entitled to the share or interest of any person in such Chattels, except the share or interest therein of the person so dying or attainted as aforesaid.

22. Where a Person possessed of Chattels real or personal upon any trusts shall die intestate and without Kindred, or shall be attainted, such Chattels shall devolve to The King, upon the same trusts.

And be it further Enacted, That in case any Chattels real or personal shall devolve or be forfeited to His Majesty or His successors, in consequence of any person who now is or hereafter shall be possessed of or entitled to such Chattels, upon any trusts, dying after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six* intestate, and of there not being any person who, under the Statutes made for the distribution of Estates of Intestates, shall be entitled to the personal Estate of the person so dying, or in consequence of any person so possessed or entitled as aforesaid being attainted after the said *Thirty-*

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first day of *December One thousand eight hundred and Thirty-six* of High Treason, Petit Treason or other felony, then and in such case His Majesty and His successors shall be possessed of or entitled to such chattels upon the trusts on which the person so dying or attainted was possessed of or entitled to the same.

23. The Estate, &c. of a Joint Trustee of Lands or Chattels to cease on his attainder.

Provided always, and be it further Enacted, That in case any person who now is or hereafter shall be seised or possessed of or entitled to any Lands of any tenure whatsoever for an Estate of Inheritance or an Estate of Freehold only, or any chattels real or personal, jointly with any other person or persons, upon any trusts, shall, while so seised, possessed of, or entitled, be attainted after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six* of any of the crimes of High Treason, Petit Treason or other felony, then and in such case the Estate or Interest of the person so attainted in such Lands or Chattels shall immediately upon such attainder cease and determine as if he were dead, and shall not in consequence of such attainder escheat or become forfeited; and all acts, deeds, matters and things done and executed by such person pursuant to such trusts, after committing such crime, and before such attainder, shall be as valid and effectual in every respect as if he had not committed such crime: Provided nevertheless, That nothing in this present Clause contained shall prevent the escheat or forfeiture of any beneficial Estate or Interest of such person in such Lands or Chattels.

24. If at the time of the Escheat, &c. of Lands there shall be a Lease subsisting, The King or Mesne Lord shall have the reversion on such Lease, and may distrain for the Rents.

Provided always, and be it further Enacted, That if at the time when any lands of any tenure whatsoever, or any chattels real, shall, either under this Act or otherwise, escheat or become forfeited after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, either to His Majesty or His successors, or to the Mesne Lord of any Manor, of any tenure whatsoever, or shall devolve after the said *Thirty-first* day of *December One thousand eight hundred and Thirty-six* to His Majesty or His successors, there shall be subsisting in such Lands or Chattels real any Lease, then the Lessee under such Lease, his executors, administrators or assigns, shall pay, observe and keep to and with His Majesty, or other the Mesne Lord to whom the Lands shall so escheat, be forfeited or devolve, and his successors or heirs, executors, administrators or assigns, the rents, reservations, covenants, conditions and agreements respectively reserved and contained in such Lease; and His Majesty, or other such Mesne Lord as aforesaid, and his successors or heirs, executors, administrators and assigns, shall and may from time to time make or bring all such distresses, actions, suits or entries for non-payment of such rent or reservations, or for non-performance of the covenants, conditions and agreements in such Lease respectively reserved and contained as could have been taken, made or brought by the person in consequence of whose death or attainder such Lands or

Chattels real shall have so escheated, become forfeited or devolved or his heirs, executors, administrators and assigns, in case such Lands or Chattels real had not so escheated, become forfeited or devolved; and in all such distresses, actions, suits and entries, the rents or reservations, covenants, conditions and agreement, in such Lease reserved and contained on the part of the Lessee, his executors, administrators or assigns, shall be deemed and taken to be annexed to an immediate reversion vested in His Majesty, or other the Mesne Lord to whom the Lands shall so escheat, become forfeited or devolve, his executors, administrators or assigns, and in case any action of trespass shall be brought for taking any such distress, may plead thereto the General Issue, and give this Act or other special matter in evidence; and also in case any such distress shall be replevied, shall have power to avow or make cognizance generally, in such manner and form as any landlord may now do by virtue of the Statute made in the eleventh year of the reign of his Majesty King GEORGE the Second, intituled, "An Act for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants," or by any other Law or Statute now in force or hereafter to be made for the more effectually recovering rent in arrear; and His Majesty or His successors, and such Mesne Lord, his heirs, executors, administrators or assigns, and his or their bailiffs, agents and servants, shall also have all such and the same remedies, powers, privileges and advantages of pleading, avowing and making cognizance, and be entitled to the same costs and damages, and the same remedies for the recovery thereof, as landlords, their bailiffs, agents and servants are now or hereafter may by law be entitled to have when rent is in arrear.

25. Saving of the Rights of Persons having Royalties, &c.

Provided always, and be it further Enacted, That nothing in this Act contained shall deprive any person of any royalties or royal franchises or privileges whatsoever to which he now is or hereafter shall be entitled under and by virtue of any dignity or office, or any gift or grant already made or hereafter to be made, or any other title, or in any other manner howsoever; but nevertheless all the provisions hereinbefore contained shall apply to every such person in respect of such royalties, royal franchises or privileges in the same manner as such provisions would apply to His Majesty or His successors in respect of such royalties or royal franchises or privileges, if such person was not entitled thereto.

26. This Act to extend to Lands and Chattels which shall escheat or be forfeited to The King in right of the Duchy of Lancaster.

And be it further Enacted, That all the provisions hereinbefore contained shall apply to Lands of any tenure whatsoever, and to chattels real and personal, which shall respectively escheat, become forfeited or devolve to His Majesty in right of His Duchy of Lancaster; but nevertheless nothing in this Act contained shall be deemed or taken to vest in His Majesty or His successors in right of His Crown any Lands of any tenure whatsoever or any chattels, real or personal which shall respectively

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respectively escheat, become forfeited or devolve to His Majesty or His successors in right of His said Duchy.

27. Power to The King to make Grants of escheated and forfeited Lands and Chattels which are not subject to Trusts.

And be it further Enacted, That after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, in all cases in which any Lands of any tenure whatsoever, or any chattels real or personal have before the passing of this Act escheated or become forfeited or devolved, or shall at any time after the passing of this Act escheat or become forfeited or devolve to His Majesty or His successors, either in right of His Crown or of His Duchy of Lancaster, and such Lands or chattels shall not at the time when they shall have so escheated or become forfeited or devolved be held upon any trusts or by way of mortgage, it shall be lawful for His Majesty and His successors, by warrant under His or their sign manual, or under the seal of the Duchy or County Palatine of Lancaster (as the case may be), to grant, either in consideration of a sum of money or not, such Lands or chattels, either with or without the intermediate rents, interests, dividends or annual produce, unto any person whomsoever, his heirs, executors, administrators and assigns, upon such trusts and subject to such conditions, or without being subject to any trusts or conditions, and in such manner as His Majesty or His successors shall be pleased to direct; and this present Clause shall extend to Lands of any tenure whatsoever, and to chattels real and personal, now or at any time hereafter vested in His Majesty or His successors, by reason that the same have been or shall be purchased by or for the use of or in trust for any alien or aliens.

28. Power to The King to direct the application of Monies arising from any escheated or forfeited Lands or Chattels.

And be it further Enacted, That the Monies in consideration for which any grant by His Majesty or His successors shall be made pursuant to this Act, and also the Monies to arise and become payable under any trusts and conditions expressed or contained in any such grant, shall be paid, applied and disposed of to such persons for such purposes and in such manner as His Majesty or His successors, in the warrant by which such grant shall be made, or by any other warran t under His or their sign manual, or under the seal for the Duchy or County Palatine of Lancaster, shall be pleased to direct, and in default of any such direction, and subject to every direction which shall be so made, such Monies shall be paid to the Commissioners of the Land Revenue for the time being, to be applied by them in the same manner as the money arising from the sale of any manors, messuages, lands, tenements or hereditaments of or belonging to His Majesty or His successors is by the several Acts now in force for the management and improvement of the Land Revenue of the Crown, or any of them, directed to be applied and disposed of; and the receipts of the person to whom any monies shall be payable under and by virtue of this Clause shall discharge the person paying the same from being bound

to see to the application thereof, or from being answerable for the misapplication or non-application thereof.

29. Power to the Court of Chancery to direct the execution of Trusts affecting Lands which shall escheat to The King, after the 31st December 1836.

And be it further Enacted, That in all cases in which any Lands of any tenure whatsoever, or any chattels, whether real or personal, shall either under this Act or otherwise escheat or be forfeited or devolve after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six* to His Majesty or His successors, either in right of His Crown or of His Duchy of Lancaster, and such Lands or chattels shall at the time when they shall so escheat, or be forfeited or devolve, be held upon any trusts or by way of mortgage, then and in such case such Lands or chattels shall be subject to the order, contract and disposition of the Court of Chancery for the use of the person beneficially interested therein, in such manner and subject in all respects to such rights and interests and to such orders and regulations of the said Court, under the provisions of the Acts of the eleventh year of the reign of his late Majesty King GEORGE the Fourth, and the first year of the reign of His present Majesty, intituled, "An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees and Mortgagees, and for enabling Courts of Equity to give effect to their Decrees and Orders in certain cases," in case the person in consequence of whose death or attainder such Lands or chattels shall have escheated or been forfeited or have devolved were out of the jurisdiction of or not amenable to the process of the said Court without having so died or been so attainted.

30. Power to the Court of Chancery to direct the execution of Trusts affecting Lands and Chattels which shall have escheated or become forfeited to The King, or a Mesne Lord before the 31st December 1836.

And be it further Enacted, That after the *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, in all cases in which Lands of any tenure whatsoever, or any chattels real or personal, have before the passing of this Act escheated, or become forfeited or devolved, or shall at any time after passing of this Act, but before the said *Thirty-first* day of *December One thousand eight hundred and Thirty-six*, escheat or become forfeited or devolve to His Majesty or His successors, either in right of His Crown or of His Duchy of Lancaster, or to the Mesne Lord of any manor of any tenure whatsoever, and such Lands shall at the time when they shall have escheated be held upon any trusts or by way of mortgage, then and in such case such Lands or chattels shall be subject to the order, contract and disposition of the Court of Chancery for the use of the person beneficially interested therein, in such manner and subject in all respects to such rights and interests and to such orders and regulations of the said Court, under the provisions of the Acts of the eleventh year of the reign of his late Majesty King GEORGE the Fourth, and the first year of the reign of His present Majesty, intituled, "An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees and Mortgagees, and for enabling Courts of Equity

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to give effect to their Decrees and Orders in certain cases," in case the person in consequence of whose death or attainder such Lands shall have escheated, or been forfeited or have devolved, were out of the jurisdiction of, or not amenable to, the process of the said Court without having so died or been so attainted: Provided always, That nothing in this Clause contained shall extend to any Lands of any tenure whatsoever, or any chattels now vested in any person, by virtue of any grant, conveyance or disposition thereof, made subsequently to the time when the same shall have escheated, become forfeited or devolved, or to any Lands of any tenure whatsoever, or chattels which more than *Twenty* years prior to the *passing of this Act* shall have vested in possession or been reduced into possession by His Majesty or His successors, or the Mesne Lord to whom the same shall have escheated, become forfeited or devolved.

A

B I L L

For the Amendment of the Law of Escheat and the Law relating to the Forfeiture of Lands and Chattels for Crimes, and of the Law relating to Chattels belonging to Persons dying intestate and without Kindred, and for rendering alienable at Law Copyhold Lands severed from a Manor, and for enabling His Majesty to make Grants of Lands and Chattels in certain cases.

(*Prepared and brought in by Mr. Attorney-General and Mr. Solicitor-General.*)

Ordered, by The House of Commons, *to be Printed,*
18 *March* 1836.

A

B I L L,

INTITULED,

AN ACT for further facilitating the hearing and determining of Suits in Equity in His Majesty's Court of Exchequer at *Westminster*.

[Note.—The Figures in the Margin denote the Number of Presses in the Ingrossment.]

1 WHEREAS by an Act of Parliament passed in the fifty-seventh year of the reign of his Majesty King GEORGE the Third, intituled, "An Act to facilitate the hearing and determining of Suits in Equity in His Majesty's Court of Exchequer at *Westminster*," it was enacted, that the Lord Chief Baron of the said Court for the time being should have power to hear and determine all causes, matters and things which should be at any time depending in the said Court as a Court of Equity, and that if the Lord Chief Baron of the Court of Exchequer should by sickness or any other unavoidable cause be prevented from sitting on the equity side of the said Court for the purposes in the said Act mentioned, then it should and might be lawful for his Majesty and his successors to nominate and appoint from time to time, under the Royal Sign Manual, revocable at pleasure, any other of the Barons of the degree of the Coif of the said Court for the time being to hear and determine such causes, matters and things: And 2 whereas by an Act of Parliament passed in the third and fourth year of the reign of His present Majesty, intituled, "An Act for the better Administration of Justice in His Majesty's Privy Council," it was declared and enacted, that it should and might be lawful for His Majesty and His successors to nominate and appoint from time

57 Geo. 3. c. 18.

3 & 4 Will. 4. c. 41.

to time, by Warrant under the Royal Sign Manual, revocable at pleasure, any one of the Barons of the Coif of the said Court for the time being to hear and determine, on such days as the Lord Chief Baron should sit on the Common Law side of the said Court during Term, or should preside at the Sittings at Nisi Prius in *London* or *Middlesex* after the Term, or should attend at the Judicial Committee of His Majesty's Privy Council, all causes, matters and things which should at any time be depending in the Court of Equity: And whereas great inconvenience has been sustained by the Suitors and Practitioners on the Equity side of the said Court by reason of the last-recited Act not having provided for the cases of the Lord Chief Baron being prevented from sitting by his absence on the Circuit or for the case of a cause not being fully heard and decided by the Baron sitting in the absence of the Chief Baron; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT it shall and may be lawful for His Majesty and His successors to empower the Baron so appointed or to be appointed under the said recited Acts as well to hear and determine all causes, matters and things upon the occasions in the said Acts mentioned, as also during the absence of the Lord Chief Baron upon the Circuit, and to continue the sittings of such Baron upon one or more successive days, until he shall have fully heard and determined any cause which shall have been but partly heard before him on any day when he shall be sitting by virtue of His Majesty's Warrant. 3

1. His Majesty empowered to nominate one of the Barons of the Court of Exchequer to determine certain Matters in the absence of the Lord Chief Baron.

2. Power of Baron appointed under this Act.

And be it further Enacted, That all the powers and authorities given to the Baron appointed or to be appointed under the first-recited Act shall apply and be extended to the Baron to be nominated and appointed under the authority of this Act.

A

B I L L,

INTITULED,

AN ACT for further facilitating the hearing and determining of Suits in Equity in His Majesty's Court of Exchequer at *Westminster*.

Ordered, by The House of Commons, *to be Printed,*
15 *August* 1836.

(Ireland.)

A

B I L L

For the Regulation of the Offices of Vice-Treasurer and Teller of the Exchequer in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS an Act was passed in the fifty-fourth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the more effectual Regulation of the Receipts and Issues of His Majesty's Treasury, and for securing the due Application of Money coming into the hands of the Public Accountants in Ireland:" And whereas an Act was passed in the fifty-sixth year of the reign of his said late Majesty, intituled, "An Act to unite and consolidate into one Fund all the Public Revenues of Great Britain and Ireland, and to provide for the Application thereof to the General Service of the United Kingdom:" And whereas an Act was passed in the fifty-seventh year of the reign of his said late Majesty, intituled, "An Act to regulate the Offices of His Majesty's Exchequer in England and Ireland respectively:" And whereas an Act was passed in the third year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to provide for the more effectual Regulation of certain Offices relating to the Receipt of His Majesty's Exchequer in Ireland:" Preamble: 54 Geo. 3. 56 Geo. 3. cap. 98. 57 Geo. 3. 3 Geo. 4.

And whereas, with a view to the advantage of the public service, it is expedient that the receipt and issue of all the Monies forming the public revenues of the United Kingdom should be placed under the control and superintendence of the Commissioners of His Majesty's Treasury, and further and more effectual Regulations are therefore necessary in respect of the receipt and issue of the public Monies in Ireland, and also in respect of the Offices of Vice-Treasurer and Teller of the Exchequer; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

1. Directing the Regulation of the Offices of Vice-Treasurer and Teller of Exchequer in Ireland.

liament assembled, and by the Authority of the same, THAT it shall and may be lawful for the Lord High Treasurer, or for the Commissioners of his Majesty's Treasury for the time being, or for any *Three* or more of them, to reduce or consolidate the offices of Vice-Treasurer and Teller of the Exchequer in Ireland, and from time to time to make such orders, rules and regulations in regard to the receipt and issue of the public Monies into and from the receipt of His Majesty's Exchequer in Ireland, and also for the discharge of the duties of the said offices of Vice-Treasurer and Teller of the Exchequer in Ireland, as to the said Lord High Treasurer or Commissioners of His Majesty's Treasury shall seem proper; and all such orders, rules and regulations shall be of full force and validity in all respects, any thing in any Act or Acts contained to the contrary notwithstanding.

2. Regulations issued under this Act to be laid before Parliament.

And be it further Enacted, That the several Orders, Rules or Regulations which may be issued by the said Lord High Treasurer or Commissioners of His Majesty's Treasury under the authority of this Act, shall be laid before both Houses of Parliament, within *Six* Weeks after the issue of such orders, rules or regulations, if Parliament shall be sitting, or if not sitting, then within *Six* Weeks next immediately after the re-assembling of Parliament.

Exchequer Offices.

(Ireland.)

A

B I L L

FOR

The Regulation of the Offices of Vice-Treasurer and Teller of the Exchequer in Ireland.

(*Prepared and brought in by Mr. Chancellor of the Exchequer and Mr. Baring.*)

Ordered, by The House of Commons, *to be Printed,* 2 *August* 1836.

519.

(Ireland.)

A

B I L L

To amend an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled, "An Act to amend the Laws relating to Excise Licenses, and to the Sale of Wine, Spirits, Beer and Cider by Retail in Ireland."

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

Preamble.

WHEREAS an Act was passed in the third and fourth years of the reign of His present Majesty, intituled, "An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer and Cider by Retail in Ireland:" AND whereas it is expedient to amend the said Act in certain particulars, and to make other regulations in respect of the Sale of Wine, Spirits, Beer and Cider by Retail in Ireland; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the *Fifth* day of *July* in the year *One thousand eight hundred and Thirty-six*, it shall and may be lawful to and for the proper Officers of Excise, and they are hereby directed to require from all and every person and persons applying for such License as in the said Act mentioned, to sell Beer, Cider and Spirits by Retail, to be consumed in any house specified in said License, being the same house as shall have been licensed in the year last immediately preceding, and whose License shall not have been withdrawn or annulled, in addition to the Certificate of Six Householders of the parish in the said recited Act mentioned, a Certificate to the same purport and effect from the Chief Constable of the Constabulary Force acting in and for the district in which such house may be situate, and also a like

1. Proper Officers of Excise before granting Licenses to Persons licensed in the year preceding, shall require a Certificate of good Character from Two Overseers, in addition to the Certificate required by 3 & 4 W. 4. c. 68. s. 1.

Certificate from *Two* of the Overseers appointed or to be appointed, as provided in and by the said recited Act or by this Act, for the parish in which such house is situate; and in such Certificate the said *Two* Overseers shall state the time of their appointment, and that they acted as such Overseers at least for *One* Month in the year immediately preceding the date of such Certificate; and such Certificate shall be signed by the said Overseers without fee or reward.

2. Process Servers not to be licensed to retail Spirits.

And be it further Enacted, That no person appointed to serve Civil Bill Processes shall be capable, while he holds such office, of receiving or holding a License to sell Beer, Cider, Wine or Spirits by retail.

3. Repeal of 3 & 4 W. 4. c. 68. ss. 14 and 15.

And be it further Enacted, That so much and such parts of the said Act of the third and fourth years of the reign of His present Majesty, as enact, that no person selling or licensed to sell Beer or Cider, Spirits or Wine, by retail, to be drank or consumed on the premises, shall have or keep his house or other place of sale open for the sale of Spirits, Wine or Beer, nor shall sell or retail Spirits, Wine or Beer, nor shall suffer any Spirits, Wine or Beer to be drank or consumed in or at such house or other place, at any time between the hours of Eleven of the clock in the night and Seven of the clock in the morning, nor at any time before Two of the clock in the afternoon on any Sunday, Good Friday, Christmas-day, or any day appointed for a Public Fast or Thanksgiving; and so much of the said Act as imposes any fine, penalty or forfeiture for breach of the aforesaid regulations; and so much and such parts thereof as enact, that it shall be lawful for any Justice of the Peace, Chief Constable or Churchwarden or Overseer, or for any Constable authorized for the purpose by any such Justice, to enter into any house or place kept by any person selling or having a License to sell Spirits, Wine or Beer by retail, at any time between certain hours in the said Act mentioned, and to remove from and put out of such house or place any person who shall be so found within such prohibited hours in such house or place (not being a lodger or inmate of such house or place), and who shall appear to be or to have recently been drinking, tippling or gaming therein; and as imposes any fine, penalty or forfeiture on any person who shall disobey or resist such Justice, Constable, Churchwarden or Overseer, shall be and the same are hereby Repealed: Provided always, That nothing herein contained shall extend to invalidate any thing done, or to remit or discharge any penalty or forfeiture incurred previous to the *passing of this Act.*

4. Retailers' Houses shall not be open for the Sale of Spirits between Eleven at night and Nine in the morning, nor

And be it further Enacted, That from and after the *passing of this Act,* no person selling or licensed to sell Beer or Cider, Spirits or Wine by retail, to be drank or consumed on the premises, shall have or keep his house or other place of sale (not being a booth or tent at any lawful or accustomed fair, or at any public races open for the sale of Spirits, Wine or Beer, nor shall sell or retail Spirits, Wine or Beer, nor

shall

shall suffer any Spirits, Wine or Beer to be drank or consumed in or at such house or other place, at any time between the hours of *Eleven* of the clock in the night and *Nine* of the clock in the morning, if such house or place shall be situate in any city, town or borough, and if situate elsewhere, and beyond the limits of any city, town or borough, between the hours of *Ten* of the clock in the night and *Nine* of the clock in the morning, or at any time whatsoever on any Sunday, Good Friday, Christmas-day, or any day appointed for a Public Fast or Thanksgiving; and if any such person shall keep his house or other place of sale open for selling, or shall sell Spirits, Wine or Beer, or suffer Spirits, Wine or Beer to be sold, drank or consumed in or at such house or other place, at any time between the hour of *Eleven* of the clock or *Ten* of the clock (as the case may be) at night and the hour of *Nine* of the clock in the morning, or at any time whatsoever on any Sunday, Good Friday, Christmas-day, or any day appointed for a Public Fast or Thanksgiving, such person shall forfeit the sum of for any such offence; and every separate sale shall be deemed a separate offence, and all sales on any one day shall be deemed and considered and may be prosecuted as separate offences: Provided always, That nothing herein contained shall extend to prohibit the sale of Spirits, Wine or Beer to a Traveller.

on Sundays, Christmas-day or Good Friday.

Exception as to Travellers.

5.

And be it further Enacted, That no person selling or licensed to sell Beer or Cider and Spirits or Wine by retail, to be drank or consumed on the premises or otherwise, shall have or keep any booth or tent, or other place, not being a house duly licensed for the sale of Spirits, at any lawful or accustomed Fair, or at any public Races, open for the sale of Spirits, Wine or Beer, nor shall sell or retail Spirits, Wine or Beer, nor shall suffer any Spirits, Wine or Beer to be sold, drank or consumed in or at such booth or tent or other place, between the hours of *Six* of the clock in the evening and *Nine* of the clock in the morning, at any time between the *First* day of *April* and the *First* day of the following month of *October*, or between the hours of *Three* of the clock in the afternoon and *Nine* of the clock in the morning, at any time between the *First* day of *October* and the *First* day of the following month of *April*, nor at any time whatsoever on any Sunday, Good Friday, Christmas-day, or any day appointed for a Public Fast or Thanksgiving; and if any such person shall keep such booth or tent or other place open for selling, or shall sell Spirits, Wine or Beer, or shall suffer any Spirits, Wine or Beer to be drank or consumed in or at such booth or tent or other place, at any hour or time at which the same are hereby respectively prohibited, such person shall forfeit the sum of for any such offence, and every separate sale shall be deemed a separate offence, and all sales on any one day shall be deemed and considered and may be prosecuted as separate offences, and this prohibition

Booths and Tents at Fairs, &c. not to be open for the Sale of Spirits, Wine or Beer, at any hour between Six in the evening and Nine in the morning in Summer, and Three in the afternoon and Nine in the morning in Winter.

 shall

shall be deemed and taken to extend to the sale of Spirits, Wine or Beer to a Traveller, as well as to any other person.

6. Justices and Constables may enter into any House, &c. in which Spirits or Beer is sold, and put out Persons tippling or gaming at prohibited hours.

And be it further Enacted, That it shall and may be lawful for any Justice of the Peace, or for any Chief Constable, or for any Churchwarden or Overseer in the said recited Act or hereinafter mentioned, or for any Constable authorized for the purpose by any such Justice, within the limits of his jurisdiction, to enter into any house, booth, tent or other place kept by any person selling or having a License to sell Spirits, Wine or Beer by retail, at any time or hour during which the sale of Spirits, Wine or Beer is by this Act prohibited therein, and to remove from and put out of such house, booth, tent or other place, any person who shall be so found within such prohibited hours in such house, booth, tent or other place (not being a lodger or inmate thereof), and who shall appear to be or to have recently been drinking, tippling or gaming therein; and that if any such person shall not, when thereto required by such Justice of the Peace, Chief or other Constable, Churchwarden or Overseer as aforesaid, remove from and quit such house, booth, tent or other place, or shall forcibly resist such Justice, Constable, Churchwarden or Overseer, or shall be found drunk therein, it shall and may be lawful for any Constable, Churchwarden or Overseer to apprehend and take into custody any such person so offending, and to carry and convey, or cause to be carried and conveyed, every and any such person so apprehended before any Justice of the Peace within whose jurisdiction such house, booth, tent or other place shall be situate, to be dealt with according to law; and every such person who shall so neglect or refuse to remove from or quit such house, booth, tent or other place, or shall so forcibly resist such Justice, Constable, Churchwarden or Overseer, or be so found drunk in such house, booth, tent or other place, being duly convicted of such offence, shall thereupon for every such offence forfeit any sum not exceeding
nor less than ; and if any offender so convicted shall not forthwith pay the sum so forfeited, such offender shall be committed to the Common Gaol of the county or place, or to any adjacent House of Correction for any time not exceeding

Persons not quitting or resisting Justices, &c. may be apprehended.

7. If a Soldier offends, Justice to communicate the same to his Commanding Officer.

And be it Enacted, That if any offender convicted in manner aforesaid shall be a Soldier on full pay, and attached to any regiment in His Majesty's Service stationed or being within the jurisdiction of such Justice, a communication of such conviction shall be forthwith made by said Justice to the Commanding Officer of such regiment, and the offender so convicted shall be detained until delivered over to the Commanding Officer or his Order, to be amenable to military discipline.

And

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8.

Retailers shall not permit illegal Assemblies in their Houses, or hang out Flags or Emblems therefrom.

And be it further Enacted, That no person licensed to sell Spirits by retail to be consumed on the premises or otherwise, shall knowingly permit any body, union, society or assembly of persons declared to be illegal or prohibited by any law in force at the time of the *passing of this Act*, or any body, union, society or assembly of persons who shall hold their meetings or assembly with closed doors, or who shall require from persons about to be admitted, or being admitted thereto, or into the said body, union, society or assembly, any oath, test, solemn declaration or affirmation not expressly allowed and required by law, or who shall observe on the admission of members, or on any other proceeding, any religious or other solemn mystery, rite or ceremony, or seeming or pretended religious or other solemn mystery, rite or ceremony, not sanctioned by law, or who shall wear, bear or display on occasions of their meeting or assembling together, any arms, flags, colours, symbols, decorations or emblems whatsoever, to meet or assemble, or hold a meeting or assembly on any occasion or pretence whatsoever, in the house or other place of sale of such person so licensed, nor shall, on any occasion or pretence whatsoever, hang out or display, or suffer to be hung out or displayed, on, from or out of such house or other place of sale, any sign, flag, symbol, colour, decoration or emblem whatsoever, except the known and usual and accustomed sign of such house or other place of sale usually fixed thereto in the way of business; and if any such person shall knowingly permit any such body, union, society or assembly to meet or assemble, or hold any meeting or assembly, on any occasion or pretence whatsoever, in the house or place of such person, or shall hang out or display, or suffer to be hung out or displayed, on, from or out of such house or place of sale any such sign, flag, symbol, colour, decoration or emblem whatsoever, except as aforesaid, any such person so offending shall forfeit and pay for every such offence the sum of and the License of such person convicted of such offence shall not be renewed by the proper Officer of Excise without the Certificate of the Justices at Quarter Sessions assembled, and of the Assistant Barrister attending said Quarter Sessions, that they consider such person to be, notwithstanding such conviction, a fit person to be licensed, on condition of his not again committing a like offence; and if any such person so convicted and obtaining a renewal of his License on said Certificate shall be again convicted of a like offence, such License shall immediately on such second conviction become null and void to all intents and purposes whatsoever, and such person shall not be capable at any time thereafter of obtaining such License: Provided always, That it shall not be lawful for any person to oppose the granting such Certificate, nor shall it be necessary for the person so convicted to give any notice of his intention to apply for the same.

9. Justices and Constables may enter any house in which Spirits or Beer is sold, and put out Persons found or assembled, and remove Banners, &c.

And be it further Enacted, That it shall and may be lawful for any Justice of the Peace, or for any Chief Constable, or for any Constable authorized for the purpose by any such Justice or Chief Constable, within the limits of his jurisdiction, to enter into any house or place kept by any person selling or having a License to sell Spirits, Wine or Beer by retail, to be consumed on the premises or otherwise, in which such Justice or Chief Constable shall, from information on oath or otherwise, have reason to believe or suspect that any such body, union, society or assembly is met or held, or on or from which any such sign, flag, symbol, colour, decoration or emblem shall be hung out or displayed, and to remove from and put out of such house or place any person who shall be found met or assembled therein, with or as members of or belonging to any such body, union, society or assembly, and to remove and take away and destroy, if he shall think proper, any arms, banners, flags, colours, symbols, emblems or decorations found on or with such persons, or hanging out or displayed on or from such house or other place, and to require every such person so found to state truly to him his name and place of abode, and to require the immediate inspection of and take possession of any book of proceedings or other book used at such meeting, or brought thereto, and to detain such book for such time as he may think proper, not exceeding and that if any such person shall not, when thereto required by such Justice of the Peace, Chief or other Constable as aforesaid, remove from and quit such house, or if any person whatsoever shall forcibly resist such Justice or Constable, it shall and may be lawful for any Constable to apprehend and take into custody any person so offending, and to carry and convey, or cause to be carried and conveyed, every and any such person so apprehended before any Justice of the Peace within whose jurisdiction such house or place shall be situate, to be dealt with according to law; and every such person who shall so neglect or refuse to remove from or quit such house, or shall so forcibly resist such Justice, Constable, Churchwarden or Overseer, or who shall refuse to state his name and place of abode, or shall not truly state the same, being duly convicted of such offence, shall thereupon for every such offence forfeit any sum not exceeding nor less than and if any offender so convicted shall not forthwith pay the sum so forfeited, such offender shall be committed to the House of Correction for any time not exceeding

Persons not quitting, or resisting Justices, &c. may be apprehended.

10. Penalty on Persons selling Beer, and opposing the entering of Justices.

And be it further Enacted, That if any person selling or licensed to sell Spirits, Wine or Beer by retail, or any person aiding or assisting such retailer, shall prevent or endeavour to prevent by threats or violence, or otherwise, any such Justice, or Chief or other Constable, Churchwarden or Overseer in that behalf authorized under this Act,

or

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or the said Act of the third and fourth years of the reign of His present Majesty, from entering any house or place, or from making any search therein authorized by this Act, or shall assault or otherwise resist any such Justice, or Chief or other Constable, Churchwarden or Overseer as aforesaid, every such person so offending shall forfeit and lose a sum not exceeding the sum of : Provided always, That nothing herein contained shall exempt any such person so offending, or any other person resisting said Justice, Chief or other Constable, Churchwarden or Overseer, on any occasion in the exercise of any power given by this Act, from any other punishment or penalty, by information, indictment or otherwise, to which he or she may be liable by law for any such offence, or be construed in any way to affect or repeal any law or laws providing any punishment for such offence.

11. Penalty on refusing to admit Justices.

And be it further Enacted, That if any person selling or licensed to sell Spirits, Wine or Beer by retail, shall on demand made of entrance, delay or neglect to admit any Justice, or Chief or other Constable, Churchwarden or Overseer as aforesaid, into any house or place of such person, for the purpose of making such search as aforesaid, or for any other purpose for which by this Act, or any other law in force in Ireland, such Justice, Chief or other Constable, Churchwarden or Overseer is or may be entitled to admittance into such house or place, such person so offending shall forfeit and lose a sum not exceeding the sum of

12. Penalty if Persons are found tippling or gaming at prohibited hours, and on Persons found drunk.

And be it further Enacted, That every person selling or licensed to sell Spirits, Wine or Beer by retail, in whose house or place any person shall be found to be or to have been recently drinking, tippling or gaming, at any hour or time at which the sale of Spirits or Beer is prohibited by this Act, shall upon conviction thereof forfeit and pay the sum of and any person found drunk at any hour of the day or night in any street, square, lane, road, way or other public thoroughfare or place, shall upon conviction thereof forfeit and pay any sum not exceeding and in default of payment thereof shall and may be committed to the Common Gaol of the county or place, or to any neighbouring House of Correction, for any time not less than nor more than Hours; and every person so found drunk in any street, square, lane, road, way or other public thoroughfare or place, shall and lawfully may be apprehended by any Justice, Constable, Peace Officer, Churchwarden or Overseer as aforesaid, and forthwith carried and conveyed before any Justice of the Peace within whose jurisdiction he shall be so found, to be dealt with according tol aw.

13. Number of Overseers under 3 & 4 W. 4. c. 68. increased.

And be it further Enacted, That instead of appointing such number of persons, not exceeding *Five*, to be Overseers of persons and houses, as

as in the said recited Act of the third and fourth years of the reign of His present Majesty is provided, it shall and may be lawful for the Parishioners of the several parishes in Ireland, in vestry assembled, and they are hereby required, *Once* in every year, or oftener if necessary, to appoint such number of persons, not exceeding *Twenty*, nor less than *Ten*, as to them shall seem meet, to be Overseers of persons and houses in which Spirits or Beer shall be sold by retail within every such parish respectively; and every Overseer so appointed shall have as full and ample power and authority for carrying the provisions of this Act and the said recited Act into execution, as any Constable or other Peace Officer hath or may have by virtue of this or the said recited Act, or as any Overseer appointed under the said recited Act; and every such Overseer shall, for the purposes of this Act and of the said recited Act, be and be deemed and taken to be a Constable or Peace Officer, and the said Overseers, when so appointed, shall forthwith meet and make such proper arrangements together as to them shall seem necessary for the performance of their duties under this Act and the said recited Act, and for the due inspection and visiting the several houses within their jurisdiction as such Overseers; and the said arrangements shall be so made that at least *Two* of the said Overseers shall be appointed to and perform the said duty for each Month; and every person who shall be appointed such Overseer who shall neglect or refuse (not being prevented by sickness or other unavoidable accident) to act as such Overseer, shall forfeit and pay the sum of

Penalty on their not acting.

14. Two Justices at Petty Sessions may appoint Overseers, if the Parishioners do not.

And be it further Enacted, That if the Parishioners of any parish in Ireland shall not appoint such Overseers on or before the *First* day of *August* in any year, or within *One* Week after the termination of the office of any Overseer already appointed or to be appointed under this Act or the said recited Act, it shall and may be lawful to and for any *Two* Justices of the county, county of a city, county of a town, or town and liberties, in which such parish shall be situated, assembled at any Petty Sessions or divisional or other office of Police for the district in which such parish shall be situate, to appoint such number of Overseers as aforesaid to act as such Overseers for *One* Year, and the persons so appointed shall have all the powers of any Overseer or Overseers appointed under this or the said recited Act, and shall perform the like duties and be liable to the like penalty for non-performance thereof, as is hereinbefore provided in respect of the Overseers to be appointed by the Parishioners as aforesaid.

15. Informations may be exhibited within Twelve Months.

And be it further Enacted, That every information for any penalty incurred under this or the said recited Act shall and may be exhibited within *Twelve* calendar Months next after the offence alleged in said information shall have been committed, any thing in the said recited Act to the contrary thereof notwithstanding.

And

16. 3 & 4 W. 4. c. 68, to be in force save as altered by this Act.

And be it further Enacted, That except so far as is herein otherwise provided, all penalties and forfeitures imposed by this Act shall be sued for, levied, recovered, mitigated and distributed by such ways, means and methods, and in such manner as by the said recited Act of the third and fourth years of the reign of His present Majesty is directed, provided and enacted; and that in every respect, save where it is expressly repealed or altered by this Act, the said recited Act, and every clause, matter and thing therein contained, shall be and remain in full force, and shall apply to the several penalties and forfeitures imposed by this Act, and to the several offences hereby created, as if the same were herein re-enacted.

17. General Form of Conviction.

And be it further Enacted, That every Conviction to be had under this Act, or the said recited Act, shall and lawfully may be drawn up in the form following, or in any other form of words to the same effect; (that is to say)

to wit. } "BE it Remembered, That on the day of in the year of our Lord A. B. is convicted before us, Two of His Majesty's Justices of the Peace of the said county [or, city, or, town, as the case may be], on the oaths of C. D., &c. [as the case may be], in the Sum of for that [here specify the offence, and when and where committed.] Given under our hands and seals the day and year above written."

18. Act may be altered this Session.

And be it further Enacted, That this Act, or any of the provisions thereof, may be altered varied or repealed by any Act to be passed in this Session of Parliament.

Excise Licenses (Ireland.)

(Ireland.)

A

B I L L

To amend an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled, " An Act to amend the Laws relating to Excise Licenses, and to the Sale of Wine, Spirits, Beer and Cider by Retail in Ireland."

(*Prepared and brought in by Lord Viscount Morpeth and Mr. Serjeant O'Loghlen.*)

Ordered, by The House of Commons, *to be Printed*,
30 *March* 1836.

(Ireland.)

A

B I L L

[AS AMENDED BY THE COMMITTEE]

To amend an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled, "An Act to amend the Laws relating to Excise Licenses, and to the Sale of Wine, Spirits, Beer and Cider by Retail in *Ireland*."

[Note.—*The Clauses marked* (A. *to* F.) *were added by the Committee.*]

Preamble:

WHEREAS an Act was passed in the third and fourth years of the reign of His present Majesty, intituled, "An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer and Cider by Retail in *Ireland*:" AND whereas it is expedient to amend the said Act in certain particulars, and to make other regulations in respect of the Sale of Wine, Spirits, Beer and Cider by Retail in *Ireland*; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the Fifth day of July in the year One thousand eight hundred and Thirty-six, it shall and may be lawful to and for the proper Officers of Excise, and they are hereby directed to require from all and every person and persons applying for such License as in the said Act mentioned, to sell Beer, Cider and Spirits by Retail, to be consumed in any house specified in said License, being the same house as shall have been licensed in the year last immediately preceding, and whose License shall not have been withdrawn or annulled, in addition to the Certificate of Six Householders of the parish in the said recited Act mentioned, a Certificate to the same purport and effect from the Chief Constable of the Constabulary Force acting in and for the district in which such house may be situate, or in lieu thereof, a Certificate

1. Proper Officers of Excise before granting Licenses to Persons licensed in the year preceding, shall require a Certificate of good Character from Two Overseers, in addition to the Certificate required by 3 & 4 W. 4. c. 68. s. 1.

a Certificate from Four other Householders of the parish or district in said recited Act mentioned, to the same purport and effect as that signed by Six Householders, and also a like Certificate from Two of the Overseers appointed or to be appointed, as provided in and by the said recited Act or by this Act, for the parish in which such house is situate; and in such Certificate the said Two Overseers shall state the time of their appointment, and that they acted as such Overseers at least for One Month in the year immediately preceding the date of such Certificate; and such Certificate shall be signed by the said Overseers without fee or reward.

2. Process Servers not to be licensed to retail Spirits.

And be it further Enacted, That no person appointed to serve Civil Bill Processes shall be capable, while he holds such office, of receiving or holding a License to sell Beer, Cider, Wine or Spirits by retail.

3. Retailers' Houses shall not be open for the Sale of Spirits between Ten at night on Sunday, and Nine in the morning on Monday.

And be it further Enacted, That from and after the passing of this Act, no person selling or licensed to sell Beer or Cider, Spirits or Wine by retail, to be drunk or consumed on the premises, shall have or keep his house or other place of sale (not being a booth or tent at any lawful or accustomed fair, or at any public races open for the sale of Spirits, Wine or Beer, nor shall sell or retail Spirits, Wine or Beer, nor shall suffer any Spirits, Wine or Beer to be drunk or consumed in or at such house or other place, at any time between the hours of Ten of the clock in the night of Sunday, and Nine of the clock in the morning of Monday, if such house or place shall be situate in any city, town or borough, and if situate elsewhere, and beyond the limits of any city, town or borough, between the hours of Nine of the clock in the night of Sunday and Nine of the clock in the morning of Monday; and if any such person shall keep his house or other place of sale open for selling, or shall sell Spirits, Wine or Beer, or suffer Spirits, Wine or Beer to be sold, drunk or consumed in or at such house or other place, at any time between the hour of Ten of the clock or Nine of the clock (as the case may be) at night on Sunday, and the hour of Nine of the clock in the morning of Monday, such person shall forfeit the sum of Two Pounds for any such offence; and every separate sale shall be deemed a separate offence, and all sales on any one day shall be deemed and considered and may be prosecuted as separate offences: Provided always, That nothing herein contained shall extend to prohibit the sale of Spirits, Wine or Beer to a Traveller.

Exception as to Travellers.

4. Booths and Tents at Fairs, &c. not to be open for the Sale of Spirits, Wine or Beer, at any hour between Six in the evening and Nine in the morning

And be it further Enacted, That no person selling or licensed to sell Beer or Cider and Spirits or Wine by retail, to be drank or consumed on the premises or otherwise, shall have or keep any booth or tent, or other place, not being a house duly licensed for the sale of Spirits, at any lawful or accustomed Fair, or at any public Races, open for the sale of Spirits, Wine or Beer, nor shall sell or retail Spirits, Wine or Beer, nor shall suffer any Spirits, Wine or Beer to be sold, drunk or consumed

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in or at such booth or tent or other place, between the hours of Six of the clock in the evening and Nine of the clock in the morning, at any time between the First day of April and the First day of the following month of October, or between the hours of Three of the clock in the afternoon and Nine of the clock in the morning, at any time between the First day of October and the First day of the following month of April, nor at any time whatsoever on any Sunday, Good Friday, Christmas-day, or any day appointed for a Public Fast or Thanksgiving; and if any such person shall keep such booth or tent or other place open for selling, or shall sell Spirits, Wine or Beer, or shall suffer any Spirits, Wine or Beer to be drunk or consumed in or at such booth or tent or other place, at any hour or time at which the same are hereby respectively prohibited, such person shall forfeit the sum of Two Pounds for any such offence, and every separate sale shall be deemed a separate offence, and all sales on any one day shall be deemed and considered and may be prosecuted as separate offences, and this prohibition shall be deemed and taken to extend to the sale of Spirits, Wine or Beer to a Traveller, as well as to any other person.

in Summer, and Three in the afternoon and Nine in the morning in Winter.

5.

And be it further Enacted, That it shall and may be lawful for any Justice of the Peace, or for any Chief Constable, or for any Churchwarden or Overseer in the said recited Act or hereinafter mentioned, or for any Constable authorized for the purpose by any such Justice, within the limits of his jurisdiction, to enter into any house, booth, tent or other place kept by any person selling or having a License to sell Spirits, Wine or Beer by retail, at any time or hour during which the sale of Spirits, Wine or Beer is by this Act prohibited therein, and to remove from and put out of such house, booth, tent or other place, any person who shall be found within such prohibited hours in such house, booth, tent or other place (not being a lodger or inmate thereof), and who shall appear to be or to have recently been drinking, tippling or gaming therein; and that if any such person shall not, when thereto required by such Justice of the Peace, Chief or other Constable, Churchwarden or Overseer as aforesaid, remove from and quit such house, booth, tent or other place, or shall forcibly resist such Justice, Constable, Churchwarden or Overseer, or shall be found drunk therein, it shall and may be lawful for any Constable, Churchwarden or Overseer to apprehend and take into custody any such person so offending, and to carry and convey, or cause to be carried and conveyed, every and any such person so apprehended before any Justice of the Peace within whose jurisdiction such house, booth, tent or other place shall be situate, to be dealt with according to law; and every such person who shall so neglect or refuse to remove from or quit such house, booth, tent or other place, or shall so forcibly resist such Justice, Constable, Churchwarden or Overseer, or be so found drunk in such house, booth, tent or other place, being duly convicted of such offence, shall

Justices and Constables may enter into any House, &c. in which Spirits or Beer is sold, and put out Persons tippling or gaming at prohibited hours.

Persons not quitting or resisting Justices, &c. may be apprehended.

thereupon for every such offence forfeit any sum not exceeding Twenty Shillings, nor less than Five Shillings; and if any offender so convicted shall not forthwith pay the sum so forfeited, such offender shall be committed to the Common Gaol or any House of Correction or Bridewell of the county or place, for any time not exceeding One week.

6. If a Soldier offends, Justice to communicate the same to his Commanding Officer.

And be it Enacted, That if any offender convicted in manner aforesaid shall be a Soldier on full pay, and attached to any regiment in His Majesty's Service stationed or being within the jurisdiction of such Justice, a communication of such conviction shall be forthwith made by said Justice to the Commanding Officer of such regiment, and the offender so convicted shall be detained until delivered over to the Commanding Officer or his Order, to be amenable to military discipline.

7. Retailers shall not permit illegal Assemblies in their Houses, or hang out Flags or Emblems therefrom.

And be it further Enacted, That no person licensed to sell Spirits by retail to be consumed on the premises or otherwise, shall knowingly permit any body, union, society or assembly of persons declared to be illegal or prohibited by any law in force at the time of the passing of this Act, or any body, union, society or assembly of persons who shall hold their meetings or assembly with closed doors, or who shall require from persons about to be admitted, or being admitted thereto, or into the said body, union, society or assembly, any oath, test, solemn declaration or affirmation not expressly allowed and required by law, or who shall observe on the admission of members, or on any other proceeding, any religious or other solemn mystery, rite or ceremony, or seeming or pretended religious or other solemn mystery, rite or ceremony, not sanctioned by law, or who shall wear, bear or display on occasions of their meeting or assembling together, any arms, flags, colours, symbols, decorations or emblems whatsoever, to meet or assemble, or hold a meeting or assembly on any occasion or pretence whatsoever, in the house or other place of sale of such person so licensed, nor shall, on any occasion or pretence whatsoever, hang out or display, or suffer to be hung out or displayed, on, from or out of such house or other place of sale, any sign, flag, symbol, colour, decoration or emblem whatsoever, except the known and usual and accustomed sign of such house or other place of sale usually fixed thereto in the way of business; and if any such person shall knowingly permit any such body, union, society or assembly to meet or assemble, or hold any meeting or assembly, on any occasion or pretence whatsoever, in the house or place of such person, or shall hang out or display, or suffer to be hung out or displayed, on, from or out of such house or place of sale any such sign, flag, symbol, colour, decoration or emblem whatsoever, except as aforesaid, any such person so offending shall forfeit and pay for every such offence the sum of Two Pounds, and the License of such person convicted of such

offence

offence shall not be renewed by the proper Officer of Excise without the Certificate of the Justices at Quarter Sessions assembled, and of the Assistant Barrister attending said Quarter Sessions, that they consider such person to be, notwithstanding such conviction, a fit person to be licensed, on condition of his not again committing a like offence; and if any such person so convicted and obtaining a renewal of his License on said Certificate shall be again convicted of a like offence, such License shall immediately on such second conviction become null and void to all intents and purposes whatsoever, and such person shall not be capable at any time thereafter of obtaining such License: Provided always, That it shall not be lawful for any person to oppose the granting such Certificate, nor shall it be necessary for the person so convicted to give any notice of his intention to apply for the same.

8. Justices and Constables may enter any house in which Spirits or Beer is sold, and put out Persons found or assembled, and remove Banners, &c.

And be it further Enacted, That it shall and may be lawful for any Justice of the Peace, or for any Chief Constable, or for any Constable authorized for the purpose by any such Justice or Chief Constable, within the limits of his jurisdiction, to enter into any house or place kept by any person selling or having a License to sell Spirits, Wine or Beer by retail, to be consumed on the premises or otherwise, in which such Justice or Chief Constable shall, from information on oath or otherwise, have reason to believe or suspect that any such body, union, society or assembly is met or held, or on or from which any such sign, flag, symbol, colour, decoration or emblem shall be hung out or displayed, and to remove from and put out of such house or place any person who shall be found met or assembled therein, with or as members of or belonging to any such body, union, society or assembly, and to remove and take away and destroy, if he shall think proper, any arms, banners, flags, colours, symbols, emblems or decorations found on or with such persons, or hanging out or displayed on or from such house or other place, and to require every such person so found to state truly to him his name and place of abode, and to require the immediate inspection of and take possession of any book of proceedings or other book used at such meeting, or brought thereto, and to detain such book for such time as he may think proper, not exceeding Fourteen Days; and that if any such person shall not, when thereto required by such Justice of the Peace, Chief or other Constable as aforesaid, remove from and quit such house, or if any person whatsoever shall forcibly resist such Justice or Constable, it shall and may be lawful for any Constable to apprehend and take into custody any person so offending, and to carry and convey, or cause to be carried and conveyed, every and any such person so apprehended before any Justice of the Peace within whose jurisdiction such house or place shall be situate, to be dealt with according to law; and every such person who shall so neglect or refuse to remove from or quit such house, or shall so forcibly resist such Justice, Constable, Churchwarden

Persons not quitting, or resisting Justices, &c. may be apprehended.

or Overseer, or who shall refuse to state his name and place of abode, or shall not truly state the same, being duly convicted of such offence, shall thereupon for every such offence forfeit any sum not exceeding Twenty Shillings nor less than Five Shillings, and if any offender so convicted shall not forthwith pay the sum so forfeited, such offender shall be committed to the Gaol, Bridewell or House of Correction for any time not exceeding One Week.

9. Penalty on Persons selling Beer, and opposing the entering of Justices.

And be it further Enacted, That if any person selling or licensed to sell Spirits, Wine or Beer by retail, or any person aiding or assisting such retailer, shall prevent or endeavour to prevent by threats or violence, or otherwise, any such Justice, or Chief or other Constable, Churchwarden or Overseer in that behalf authorized under this Act, or the said Act of the third and fourth years of the reign of His present Majesty, from entering any house or place, or from making any search therein authorized by this Act, or shall assault or otherwise resist any such Justice, or Chief or other Constable, Churchwarden or Overseer as aforesaid, every such person so offending shall forfeit and lose a sum not exceeding the sum of Ten Pounds: Provided always, That nothing herein contained shall exempt any such person so offending, or any other person resisting said Justice, Chief or other Constable, Churchwarden or Overseer, on any occasion in the exercise of any power given by this Act, from any other punishment or penalty, by information, indictment or otherwise, to which he or she may be liable by law for any such offence, or be construed in any way to affect or repeal any law or laws providing any punishment for such offence.

10. Penalty on refusing to admit Justices.

And be it further Enacted, That if any person selling or licensed to sell Spirits, Wine or Beer by retail, shall on demand made of entrance, delay to admit any Justice, or Chief or other Constable, Churchwarden or Overseer as aforesaid, into any house or place of such person, for the purpose of making such search as aforesaid, or for any other purpose for which by this Act, or any other law in force in *Ireland*, such Justice, Chief or other Constable, Churchwarden or Overseer is or may be entitled to admittance into such house or place, such person so offending shall forfeit and lose a sum not exceeding the sum of Two Pounds, unless proof shall be made to the satisfaction of Two Justices who may hear the complaint, that there was reasonable cause for giving such delay.

11. Penalty if Persons are found tippling or gaming at prohibited hours, and on Persons found drunk.

And be it further Enacted, That every person selling or licensed to sell Spirits, Wine or Beer by retail, in whose house or place any person shall be found to be or to have been recently drinking, tippling or gaming, at any hour or time at which the sale of Spirits or Beer is prohibited by this Act, shall upon conviction thereof forfeit and pay the sum of Ten Shillings, and any person found drunk at any hour of the

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the day or night in any street, square, lane, road, way or other public thoroughfare or place, shall upon conviction thereof forfeit and pay any sum not exceeding Five Shillings, and in default of payment thereof shall and may be committed to the Common Gaol of the county or place, or to any neighbouring House of Correction or Bridewell, for any time not less than Twelve nor more than Forty-eight Hours; and every person so found drunk in any street, square, lane, road, way or other public thoroughfare or place, shall and lawfully may be apprehended by any Justice, Constable, Peace Officer, Churchwarden or Overseer as aforesaid, and forthwith carried and conveyed before any Justice of the Peace within whose jurisdiction he shall be so found, to be dealt with according to law.

12. Number of Overseers under 3 & 4 W. 4 c. 68. increased.

And be it further Enacted, That instead of appointing such number of persons, not exceeding Five, to be Overseers of persons and houses, as in the said recited Act of the third and fourth years of the reign of His present Majesty is provided, it shall and may be lawful for any Parishioners of the several parishes in *Ireland*, in vestry assembled, and they are hereby required, Once in every year, or oftener if necessary, to appoint such number of persons, not exceeding Twenty, nor less than Ten, as to them shall seem meet, to be Overseers of persons and houses in which Spirits or Beer shall be sold by retail within every such parish respectively; and every Overseer so appointed shall have as full and ample power and authority for carrying the provisions of this Act and the said recited Act into execution, as any Constable or other Peace Officer hath or may have by virtue of this or the said recited Act, or as any Overseer appointed under the said recited Act; and every such Overseer shall, for the purposes of this Act and of the said recited Act, be and be deemed and taken to be a Constable or Peace Officer, and the said Overseers, when so appointed, shall forthwith meet and make such proper arrangements together as to them shall seem necessary for the performance of their duties under this Act and the said recited Act, and for the due inspection and visiting the several houses within their jurisdiction as such Overseers; and the said arrangements shall be so made that at least Two of the said Overseers shall be appointed to and perform the said duty for each Month; and every person who shall be appointed such Overseer who shall neglect or refuse (not being prevented by sickness or other unavoidable accident) to act as such Overseer, shall forfeit and pay the sum of One Pound.

Penalty on their not acting.

13. Two Justices at Petty Sessions may appoint Overseers, if the Parishioners do not.

And be it further Enacted, That if the Parishioners of any parish in *Ireland* shall not appoint such Overseers on or before the First day of August in any year, or within One Week after the termination of the office of any Overseer already appointed or to be appointed under this Act or the said recited Act, it shall and may be lawful to and for any Two Justices of the county, county of a city, county of a town, or town

and liberties, in which such parish shall be situated, assembled at any Petty Sessions or divisional or other office of Police for the district in which such parish shall be situate, to appoint such number of Overseers as aforesaid to act as such Overseers for One Year, and the persons so appointed shall have all the powers of any Overseer or Overseers appointed under this or the said recited Act, and shall perform the like duties and be liable to the like penalty for non-performance thereof, as is hereinbefore provided in respect of the Overseers to be appointed by the Parishioners as aforesaid.

14. Informations may be exhibited within Twelve Months.

And be it further Enacted, That every information for any penalty incurred under this or the said recited Act shall and may be exhibited within Two calendar Months next after the offence alleged in said information shall have been committed; any thing in the said recited Act to the contrary thereof notwithstanding.

15. Clause (A.) Licenses may be annulled when licensed Persons shall have offended Three times.

And be it Enacted, That so much of the said recited Act as provides that if any person licensed to sell Beer, Cider or Spirits by retail, shall, during the continuance of such license, be duly convicted of any three several offences under the provisions of said Act, or any of them, which three offences shall have been committed within the space of Two Months, it should and might be lawful for Two Justices of the Peace, within whose jurisdiction such person should have been licensed, to annul the license of such person, shall be and the same is hereby repealed; and that from and after the passing of this Act, if any person, licensed to sell Beer, Cider or Spirits by retail, shall, during the continuance of such license, be duly convicted of three several offences under the provisions of said recited Act, or of this Act, or of both, which three offences shall have been committed within the space of Six Months, it shall be lawful for Two Justices of the Peace, within whose jurisdiction such person shall be licensed, assembled at any quarter sessions, or adjournment thereof, by order made in open court, after notice served Six Days before on the person so licensed, of the intention to apply for such order, to annul the License held by such person; and if any person, whose License shall be so annulled, shall at any time after the making of such order, sell any Beer, Cider or Spirits without having obtained a new License, he shall be subject to all the penalties to which any person is or may be subject for selling Beer, Cider or Spirits, without having obtained a License for that purpose.

16. Clause (B.) Penalty on Persons allowing Beer to be consumed on unlicensed Premises.

And be it Enacted, That if any person not licensed to sell Beer, Cider or Spirits to be consumed on the premises shall, after the passing of this Act, permit or suffer any Beer, Cider or Spirits to be consumed on any premises occupied by him, or in which his trade or business is carried on, he shall for every such offence forfeit a sum not exceeding Two Pounds; and such sum shall and may be recovered

vered in like manner in all respects as any other penalty under said recited Act, or this Act.

17. Clause (C.) Penalty on unlicensed Persons selling Beer.

And be it Enacted, That if any person, not being duly licensed to sell Beer, Cider or Spirits shall, at any time after the passing of this Act, sell any Beer, Cider or Spirits, he shall for every such offence, in addition to any other penalty to which he is liable, forfeit a sum not exceeding Two Pounds, and such sum shall and may be recovered as any other penalty under the said recited Act, or this Act, and in every proceeding to recover such penalty, it shall be sufficient to prove the sale of such Beer, Cider or Spirits, and the person charged shall be thereupon convicted, unless he shall prove that at the time of such sale he was duly licensed to sell the Beer, Cider or Spirits so sold.

18. Clause (D.) License not to be produced on Proceedings.

And be it Enacted, That in any proceeding to recover a penalty against any person charged as being licensed to sell Beer, Cider or Spirits, it shall not be necessary to call for or require the production of the License, and the notice by said Act directed to be served on the Clerk of the Peace, or evidence of his having been at the time at which the offence charged against him was committed acting as the owner of a licensed house, shall be sufficient evidence of the fact of his being licensed, unless he shall prove that he was not duly licensed, and if he shall, on the hearing of any such complaint, prove that he was not duly licensed at the time at which the sale complained of was made, it shall be lawful for the Justices before whom such proof may be made, to convict him of having made such sale without being duly licensed.

19. Clause (E.) Persons competent as Witnesses, though entitled to part of Penalty.

And be it Enacted, That in every proceeding under this or the said recited Act, the person who may inform or who shall sue for the penalty, shall be a competent witness to prove any fact, notwithstanding any provision by which he may become entitled to receive any portion of the penalty sought to be recovered.

20. Clause (F.) Service of Summons.

And be it Enacted, That in every case in which any proceeding shall be taken to recover any penalty under the said recited Act or under this Act, or under both, or for any other purpose, the delivery or service of a copy of any notice or summons to the person charged with the offence at any place, or to his wife, servant, clerk, manager or child, such child being of the age of Sixteen years or upwards, at or upon the premises used or occupied by any such person for carrying on his or her trade or business, or on the premises on which any such offence shall have been or shall be charged to have been committed, shall be deemed and taken to be a sufficient service and delivery of such summons or notice to the person or persons to whom the same may be directed.

21. 3 & 4 W. 4. c. 68, to be in force save as altered by this Act.

And be it further Enacted, That except so far as is herein otherwise provided, all penalties and forfeitures imposed by this Act shall be sued

sued for, levied, recovered, mitigated and distributed by such ways, means and methods, and in such manner as by the said recited Act of the third and fourth years of the reign of His present Majesty is directed, provided and enacted; and that in every respect, save where it is expressly repealed or altered by this Act, the said recited Act, and every clause, matter and thing therein contained, shall be and remain in full force, and shall apply to the several penalties and forfeitures imposed by this Act, and to the several offences hereby created, as if the same were herein re-enacted.

22. General Form of Conviction.

And be it further Enacted, That every Conviction to be had under this Act, or the said recited Act, shall and lawfully may be drawn up in the form following, or in any other form of words to the same effect; (that is to say)

to wit. } "BE it Remembered, That on the day of in the year of our Lord *A. B.* is convicted before us, Two of His Majesty's Justices of the Peace of the said county [*or*, city, *or*, town, *as the case may be*], on the oaths of *C. D.*, &c. [*as the case may be*], in the Sum of for that [*here specify the offence, and when and where committed.*] Given under our hands and seals the day and year above written."

23. Act may be altered this Session.

And be it further Enacted, That this Act, or any of the provisions thereof, may be altered, varied or repealed by any Act to be passed in this Session of Parliament.

Excise Licenses.

(Ireland.)

A

B I L L

[AS AMENDED BY THE COMMITTEE]

To amend an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled, " An Act to amend the Laws relating to Excise Licenses, and to the Sale of Wine, Spirits, Beer and Cider by Retail in *Ireland*."

(*Prepared and brought in by Lord Viscount Morpeth and Mr. Attorney General for Ireland.*)

Ordered, by The House of Commons, *to be Printed,*
6 *May* 1836.

A

B I L L

To impose Countervailing Duties of Excise on Mixtures, Compounds, Preparations, and Commodities made from or with Spirits removed from Ireland to England or Scotland, or from Scotland to England, and to grant Countervailing Drawbacks on the Removal of the same from England to Scotland or Ireland, or from Scotland to Ireland; and to repeal the Additional Duties of Excise on Licenses to Retailers of Spirits in the United Kingdom, imposed by an Act passed in the Fourth and Fifth Year of His present Majesty, and to alter certain Provisions in the Laws of Excise relating to Distillers and Retailers of Spirits.

[Note.—The Words and Figures printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS the Duties by law charged and payable on Spirits made or distilled in the respective parts of the United Kingdom, are, for every Gallon of Spirits of the strength of hydrometer proof made or distilled in England, Seven Shillings and Sixpence; for every Gallon of such Spirits made or distilled in Scotland, Three Shillings and Four-pence; and for every Gallon of such Spirits made or distilled in Ireland, Two Shillings and Four-pence: And whereas such differences in the respective amounts of the said Duties operate unfairly and unjustly on the manufactures of all Mixtures, Compounds, and Preparations into the manufacture of which Spirits enter as the basis, all or a principal ingredient or material thereof, and injuriously to the Revenue when such articles are manufactured in and removed from that part of the United Kingdom paying the lower Duty into those parts of the United Kingdom in which the higher Duties are charged and paid, and also further operate as prohibitions to the removal of such articles from those parts of the United Kingdom paying the higher Duty to the parts in which the Excise Duties are chargeable: Preamble.

And whereas, by the respective Acts of Union between England and Scotland and Great Britain and Ireland, it is intended that all the Subjects of the United Kingdom should as far as possible be placed on an equality in respect of trade and manufactures; and it is therefore necessary and expedient, in conformity with such intention, that Countervailing Duties should be imposed on the removal from Ireland to England or Scotland, or from Scotland to England, of the respective Mixtures, Compounds, Preparations and Commodities in the Schedule to this Act mentioned, according to the quantity of Proof Spirit usually employed in the manufacturing and compounding of the same, and that corresponding Drawbacks should be allowed:

4 & 5 W. 4. c. 75.

And whereas by an Act passed in the fourth and fifth years of His Majesty's reign, intituled, "An Act to repeal the Duties on Spirits made in Ireland, and to impose other Duties in lieu thereof, and to impose additional Duties on Licenses to Retailers of Spirits in the United Kingdom," certain additional Duties of Excise were imposed on Excise Licenses taken out by Retailers of Spirits in Great Britain and Ireland:

And whereas it is expedient to repeal the said additional Duties:

And whereas it is expedient to allow Spirits made or distilled in the United Kingdom to be warehoused in Casks of a lesser size than Eighty Gallons, and to remove the restriction on Retailers of Spirits not to have more than Ten Gallons of Spirits of Wine in stock, and to repeal so much of an Act passed in the second year of his Majesty's

2 W. 4. c. 29.

reign, intituled, "An Act to reduce the Allowance on Spirits made from Malt only in Scotland and Ireland," as prevents any Distiller in Scotland and Ireland from giving notice to distil from Malt during the remainder of his license, after having distilled from raw Grain, and to restore the provision contained in an Act passed in the fourth year of the reign of His Majesty King GEORGE the Fourth;

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the day of *One thousand eight hundred and Thirty-six*, there shall be raised, levied, collected and paid unto His Majesty, His heirs and successors, upon the several Mixtures, Compounds, Preparations and Commodities mentioned and described in the Schedule to this Act annexed, on the removal of the same from Ireland to Scotland or England or from Scotland to England respectively, the several sums of money and Duties of Excise as they are respectively inserted, described and set forth in the said Schedule; and that there shall be allowed and paid on the removal of such Mixtures, Compounds, Preparations

1. Countervailing Duties set forth in the Schedule to this Act, to be charged on the Articles enumerated therein when removed from Ireland to Scotland or England, or from Scotland to England, and Drawbacks to be allowed on removal of the same from England to Scotland or Ireland, or from Scotland to Ireland.

parations and Commodities from England to Scotland or Ireland, or from Scotland to Ireland, the several Drawbacks of Excise also respectively inserted, described and set forth in the said Schedule.

2. Duties and Drawbacks to be under the Management of the Commissioners of Excise.

And be it further Enacted, That the said Countervailing Duties and Drawbacks of Excise shall be under the management of the Commissioners of Excise, and the said Duties shall be raised, levied, sued for and recovered, received, accounted for and paid over, and the said Drawbacks shall be claimed, allowed and paid in the same manner and by the like means, methods and ways, and under the same laws, enactments, clauses, provisions, rules and restrictions, pains, penalties and forfeitures (except as otherwise especially provided for by this Act) as the other Duties and Drawbacks under the management of the Commissioners of Excise are raised, levied, sued for and recovered, applied, accounted for and paid over, claimed, allowed and paid.

3. Persons intending to remove any of the Articles enumerated, to give notice of his intention and obtain a Permit.

And be it further Enacted, That every person who shall intend to ship any of the said Mixtures, Compounds or Preparations or Commodities for removal from Ireland to Scotland or England, or from Scotland to England, or from England to Scotland or Ireland, or from Scotland to Ireland respectively, shall, *Twelve* Hours before shipping the same, give notice in writing of such his intention to the Collector of Excise, or other proper Officer of Excise appointed to receive the same, at the port of shipment, setting forth and specifying in such notice the number of Casks, or Packages, or Vessels, or Utensils intended to be so removed, and also the mark and number on each such Cask, Package, Vessel or Utensil, and the quantity and description of the Mixtures, Compounds, Preparations or Commodities contained in each, and the name of the Vessel and the Master thereof by which, and the name of the port or place to which the same are to be removed, and the name of the person or persons at such last-mentioned port or place to whom such Mixtures, Compounds, Preparations or Commodities are to be sent; and such persons shall also, at the foot or on the back of every such notice as aforesaid, request that a Permit may be granted for the removal of such Mixtures, Compounds, Preparations or Commodities, in conformity with the particulars thereof, set forth and specified in such notice; and the Collector or Officer of Excise to whom such notice shall be given, shall on the receipt thereof be authorized to examine, or cause to be examined, every such Cask, Package, Vessel and Utensil, and the marks and numbers and contents thereof, and ascertain the truth of the particulars in such notice; and being satisfied thereof, shall grant or cause to be granted a Permit for the removal of such Mixtures, Compounds, Preparations or Commodities, expressing in such Permit, or by indorsement thereof, the several particulars aforesaid, of the number of Casks, Packages, Vessels or Utensils, and the marks and numbers thereof, and the

 quantity

quantity and description of the Mixtures, Compounds, Preparations or Commodities contained in each, with the names of the persons shipping the same, and to whom the same are to be sent, and of the Vessel and the Master thereof by which, and of the port and place from which, and the port or place to which such Mixtures, Compounds, Preparations or Commodities are to be removed; and the Collector or other officer granting such Permit shall forthwith transmit by post a Duplicate thereof to the Collector or other principal Officer of Excise at the port or place, or nearest thereto, to which such Mixtures, Compounds, Preparations or Commodities are to be removed; and if any such Mixtures, Compounds, Preparations or Commodities shall be found on board any Ship or Vessel in Ireland bound for England or Scotland, or on board any Ship or Vessel in Scotland bound for England, without such notice of shipment having been given, or not accompanied with such Permit as aforesaid, the same shall be forfeited, and may be seized by any Officer of Excise or Customs; and the person who shall have shipped or caused to be shipped such Mixtures, Compounds, Preparations or Commodities, shall forfeit *Two hundred* Pounds.

4. On the arrival of the Vessel in England or Scotland, entry to be made with the Collector or other Officer of Excise, of the Articles on board, and the Permit to be produced and Duty paid.

And be it further Enacted, That the Proprietor or Consignee of any such Mixtures, Compounds, Preparations or Commodities removed from Ireland into England or Scotland, or from Scotland into England, shall, on the arrival of the Ship or Vessel at the port or place into which the same shall be brought, make due entry with the Collector or other Officer of Excise appointed to receive the same at such port or place, of such mixtures, compounds, preparations or commodities on board such Ship or Vessel, and shall deliver to such Collector or other Officer the Permit for the removal of the same, and shall pay to such Collector or other Officer the Duties due and payable on such mixtures, compounds, preparations or commodities, according to the provisions of this Act; and such Collector or other Officer having examined or caused to be examined the said mixtures, compounds, preparations or commodities, and being satisfied that they are the same casks, packages, vessels or utensils, mixtures, compounds, preparations or commodities specified in the Permit, and having received the Duties payable thereon, shall deliver the same to the Proprietor, Consignee or Agent, making such entry and producing such Permit as aforesaid; and if any of the said mixtures, compounds, preparations or commodities shall be removed from Ireland to Scotland or England, or from Scotland to England, without being accompanied with such Permit as aforesaid, or if within *Twenty-four* Hours after the arrival of any Ship or Vessel, due entry of any such mixtures, compounds, preparations or commodities on board thereof shall not be made, and the Permit for the removal thereof produced, all such mixtures, compounds, preparations and commodities

dities shall be forfeited, and may be seized by any Officer of Excise or Customs; and every person who shall remove or aid or assist in removing any such mixtures, compounds, preparations or commodities from Ireland into Scotland or England, or from Scotland into England, without such Permit as aforesaid, or who shall remove any such mixtures, compounds, preparations or commodities from the quay, wharf or place where landed, before the Duties thereon shall have been paid, shall forfeit *Two hundred* Pounds.

5. Entry to be made of Articles removed from England to Scotland or Ireland, or from Scotland to Ireland, and Permit produced, to obtain the Drawback.

And be it further Enacted, That the Proprietor or Consignee of any such Mixtures, Compounds, Preparations or Commodities removed from England into Scotland or Ireland, or from Scotland into Ireland, on Drawback, shall, on the arrival of the Ship or Vessel at the port or place into which the same shall be brought, make due entry with the Collector of Excise, or other Officer of Excise appointed to receive the same at such port or place, of such mixtures, compounds, preparations or commodities on board such Ship or Vessel, and shall deliver to such Collector or other Officer the Permit for the removal of the same; and such mixtures, compounds, preparations or commodities having been duly landed and examined by such Collector or other Officer, or by his directions, and such Collector or Officer being satisfied that they are the same casks, packages, vessels or utensils, mixtures, compounds, preparations or commodities specified in the Permit, shall give a debenture or certificate to the Proprietor or Consignee of the said mixtures, compounds, preparations or commodities, making such entry and producing such Permit for the amount of Drawback payable according to the provisions of this Act, on the quantity of such mixtures, compounds, preparations or commodities so brought into Scotland or Ireland respectively.

6. Customs Regulations to apply to these Articles.

And be it further Enacted, That all the enactments, provisions, rules and regulations, fines, penalties and forfeitures, relating to Goods subject to Duties and Drawbacks of Excise, removed from Ireland to England or Scotland, or from Scotland to England, from England to Scotland or Ireland, or from Scotland to Ireland, contained in any Act or Acts relating to the Revenues of Customs, shall extend to and be in force in respect of the removal of the said Mixtures, Compounds, Preparations and Commodities.

7. Sweets or Made Wines subject to Duty not to contain more, nor when removed on Drawback less, than Eleven per centum of Proof Spirits.

And be it further Enacted, That if any Sweets or Made Wines removed from Ireland to Scotland or England, or from Scotland to England, shall be found to contain any greater quantity of Spirits than in the proportion of *Eleven* Gallons of Spirits of the strength of hydrometer proof in every *One hundred* Gallons of the Sweets or Made Wines so removed, or if any Sweets or Made Wines removed from England to Scotland or Ireland, or from Scotland to Ireland, on

Drawback, shall be found to contain a lesser quantity of Spirits than in the same proportion, all such Sweets or Made Wines shall be forfeited, and may be seized by any Officer of Excise or Customs.

8. Articles not to be removed to or from Scotland otherwise than by Sea.

And be it further Enacted, That none of the said Mixtures, Compounds, Preparations or Commodities shall be removed from England to Scotland, nor from Scotland to England, otherwise than by sea, on pain of the forfeiture thereof and *Two hundred* Pounds by the person removing the same.

9. Additional Duties imposed by 4 & 5 W. 4. c. 75. on Licenses to Retailers of Spirits repealed.

And be it further Enacted, That from and after the *Tenth* day of *October One thousand eight hundred and Thirty-six*, the said additional Duties of Excise on Excise Licenses taken out by Retailers of Spirits imposed by the said recited Act of the fourth and fifth years of His Majesty's reign shall be and the same are hereby Repealed.

10. Distillers may warehouse Spirits in Casks containing not less than Twenty Gallons.

And be it further Enacted, That it shall be lawful for any Distiller of Spirits in England, Scotland or Ireland, to warehouse any Spirits distilled in the Distillery of such Distiller, in Casks, which shall contain not less than *Twenty* Gallons each, subject to and under, in all other respects, the rules, regulations, enactments, fines, penalties and forfeitures in force in England, Scotland and Ireland respectively, relating to the distilling, warehousing and removal of such Spirits.

11. So much of 6 Geo. 4. c. 80, s. 30, as prohibits Retailers of Spirits from having more than Ten Gallons of Spirits of Wine in stock, repealed.

And be it further Enacted, That so much of an Act passed in the sixth year of the reign of His Majesty King GEORGE the Fourth, intituled, "An Act to repeal the Duties payable in respect of Spirits distilled in England, and of Licenses for distilling, rectifying or compounding such Spirits, and for the sale of Spirits, and to impose other Duties in lieu thereof, and to provide other Regulations for the collection of the said Duties, and for the sale of Spirits, and for the warehousing of such Spirits without payment of Duty for Exportation," as prohibits Retailers of British Spirits from selling or sending out, or receiving or having or keeping in their stock, custody or possession, any Spirits of Wine exceeding at one time Ten Gallons, shall be, and the same is hereby Repealed; and in lieu thereof it shall be lawful for any Retailer of Spirits to sell or send out, receive or have in his stock, custody or possession, any quantity of Spirits of Wine, under the same rules and regulations, and subject to the same penalties and forfeitures as are in and by the said Act prescribed and imposed in respect to Spirits of Wine sold or sent out, or received by or kept in the Stock or possesssion of a Dealer in Spirits.

12. And be it further Enacted, That so much of the said recited Act of the second year of His Majesty's reign as enacts that so much of an Act passed in the fourth year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to grant certain Duties of Excise upon Spirits distilled from Corn or Grain in Scotland and Ireland, and upon Licenses for Stills for making such Spirits, and to provide for the better collecting and securing such Duties, and for the warehousing of such Spirits without Payment of Duty," as provides and enacts, that if any Distiller who shall have given any such notice of using malted corn only as aforesaid, shall intend to commence or recommence to use unmalted corn or grain, or malt mixed with unmalted grain, at any time when there shall not be any wort or wash in the Distillery of such Distiller, such time being at least One calendar Month distant from the time such Distiller began to use malt only under any such notice, it shall be lawful for such Distiller, on giving Six Days' previous notice to the proper officer, so to commence or recommence to use unmalted grain; and such Distiller shall not thereafter be liable to any such penalty aforesaid, or be entitled to any such allowance; provided also, that if any Distiller using unmalted corn and grain shall be desirous of commencing or recommencing to use malted corn only as aforesaid at any time when there shall not be any wort or wash in the Distillery of such Distiller, such time being at least One calendar Month from the time such Distiller shall have commenced or recommenced using unmalted grain as aforesaid, it shall be lawful for such Distiller, on giving Six Days' notice as aforesaid, so to commence or recommence to use malted corn only; shall be and the same is hereby Repealed; and the said enactment in the said Act of the fourth year of the reign of his late Majesty King GEORGE the Fourth so repealed, shall be and is hereby Revived, and shall be in full force as if the same had not been repealed: Provided always, That Distillers in Scotland and Ireland distilling from malt only, and claiming the allowance on the Spirits distilled by them, shall continue subject to all the other regulations in the said recited Act of the second year of His Majesty's reign, not repealed by this Act.

2 W. 4. c. 29. s. 4. repealed; and 4 G. 4. c. 94. s. 100. revived.

13. And be it further Enacted, That so much of the said recited Act of the second year of His Majesty's reign as enacts that every Distiller who shall be licensed at the time of the said Act commencing and taking effect, and who shall intend to use Malt only, and to claim the allowance herein granted, shall within One Month after the commencement of the said Act, and before he shall commence to brew any wort or wash, give Notice in writing to the proper Officer of Excise in charge of his Distillery, in which Notice shall be stated that such Distiller intends to use Malt only, not being mixed with any unmalted Corn or Grain whatever, during the continuance of his License;

2 W. 4. c. 29. s. 5. repealed.

License; and every Distiller who shall be licensed after the commencement of the said Act, or who shall renew his License on the expiration of any former License, and who shall intend to use Malt only and to claim the said allowance, shall, at the time of taking out or renewing his License, give a like Notice to the Officer in charge of his Distillery; and no allowance shall be granted or payable to any Distiller who shall not have given such Notice at the times thereinbefore mentioned; and if any Distiller having given any such Notice shall withdraw the same, and commence to use raw grain, which he may be allowed to do at any time after the expiration of One Month from the date of such Notice, it shall not be lawful for such Distiller in such Distillery, or for any other person licensed for the same premises, to give any other Notice of his intention to use Malt only, or to receive any allowance in respect of Spirits distilled from Malt during the remainder of the year for which the License of such Distiller has been granted; shall be and the same is hereby Repealed.

14. Act may be repealed or altered in the present Session.

And be it further Enacted, That this Act may be repealed, altered or amended by any Act to be passed in this present Session of Parliament.

SCHEDULE

SCHEDULE

TO WHICH THE AFOREGOING ACT REFERS.

ARTICLES ENUMERATED; For every Gallon thereof removed.	COUNTERVAILING DUTIES. From Scotland to England.	From Ireland to England.	From Ireland to Scotland.
	£. s. d.	£. s. d.	£. s. d.
Ether	– 10 5	– 12 11	– 2 6
Sweet Spirits of Nitre	– 8 4	– 10 4	– 2 –
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers or other Ingredients			
Compound Spirits of Lavender			
Spirits of Rosemary			
Spirits of Ammonia			
Salvolatile			
Friars Balsam			
Compound Tincture of Benzoin	– 6 3	– 7 9	– 1 6
Tincture of Assafœtida			
Tincture of Castor			
Tincture of Kino			
Tincture of Guiacum			
Tincture of Myrrh			
Tincture of Ginger			
Spirit Varnishes			
Other Tinctures and Medicated Spirits	– 4 2	– 5 2	– 1 –
Sweets or Made Wines	– – 5	– – 6	– – 2

ARTICLES ENUMERATED; For every Gallon thereof removed.	COUNTERVAILING DRAWBACKS. From England to Scotland.	From England to Ireland.	From Scotland to Ireland.
	£. s. d.	£. s. d.	£. s. d.
Ether	– 10 5	– 12 11	– 2 6
Sweet Spirits of Nitre	– 8 4	– 10 4	– 2 –
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers or other Ingredients			
Compound Spirits of Lavender			
Spirits of Rosemary			
Spirits of Ammonia			
Salvolatile			
Friars Balsam			
Compound Tincture of Benzoin	– 6 3	– 7 9	– 1 6
Tincture of Assafœtida			
Tincture of Castor			
Tincture of Kino			
Tincture of Guiacum			
Tincture of Myrrh			
Tincture of Ginger			
Spirit Varnishes			
Other Tinctures and Medicated Spirits	– 4 2	– 5 2	– 1 –
Sweets or Made Wines	– – 5	– – 6	– – 2

Spirits (Excise) Bill.

A

B I L L

To impose Countervailing Duties of Excise on Mixtures, Compounds, Preparations, and Commodities made from or with Spirits removed from Ireland to England or Scotland, or from Scotland to England, and to grant Countervailing Drawbacks on the Removal of the same from England to Scotland or Ireland, or from Scotland to Ireland; and to repeal the Additional Duties of Excise on Licenses to Retailers of Spirits in the United Kingdom, imposed by an Act passed in the Fourth and Fifth Year of His present Majesty, and to alter certain Provisions in the Laws of Excise relating to Distillers and Retailers of Spirits.

(*Prepared and brought in by Mr. Chancellor of the Exchequer and Mr. Baring.*)

Ordered, by The House of Commons, *to be Printed,*
19 *July* 1836.